The City Council of the City of Raleigh met in regular session on Tuesday, February 5, 1985, at 1:00 p.m. in the City Council Chamber, Room 201 of the Raleigh Municipal Building, 222 West Hargett Street with the following present:

Mayor Upchurch, Presiding
Ms. Babb
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Mayor Upchurch called the meeting to order and invocation was rendered by Reverend Calloway, after which the following items were discussed with action taken as shown.

SPECIAL AWARDS

STUDENT GOVERNMENT MONTH - PARTICIPATING STUDENTS RECOGNIZED; PROCLAMATION DECLARING STUDENT GOVERNMENT MONTH - PROCLAIMED

Mayor Upchurch recognized the students participating in Student Government Month. Each person stood giving their name, school they represent as well as the position they will occupy during Student Government Month. Mayor Upchurch read a proclamation proclaiming February, 1985, as Student Government Month in the City of Raleigh. The proclamation was received by Mary Beth Jones - Student Government Mayor.

PROCLAMATION - GREATER RALEIGH CHAMBER OF COMMERCE DAY - PROCLAIMED

Mayor Upchurch read a proclamation proclaiming February 6, 1985, as Greater Raleigh Chamber of Commerce Day. The proclamation was received by Anita Fulbright, representing the Greater Raleigh Chamber of Commerce.

PROCLAMATION - ROTARY FOUR-WAY TEST WEEK - PROCLAIMED

Mayor Upchurch read a proclamation proclaiming the week of February 17-23 as Rotary Four-Way Test Week in the City of Raleigh. The proclamation was accepted by Thomas N. Owen, Jr., past President of the North Raleigh Rotary Club, explaining February 23 is the birthday of the Rotary Club.

PERSONNEL - WASTE TREATMENT PLANT OPERATOR - RECOGNIZED

City Manager Benton indicated the City of Raleigh has as a part of its Waste Treatment Program a farming operation. He indicated in the past year, there are some 870 acres of land owned by the City under cultivation plus an additional 130 acres on leased land. He gave the yields of the farming operation including barley, soybeans, corn and sorghum. He indicated this past year we had an excellent corn production and the Wake Agri-Business Council named the farming operation manager as the corn growing champion of Wake County. Billy Ray Creech was recognized for his work in this area.

SIR WALTER RALEIGH AWARDS - EXECUTIVE SESSION TO BE HELD

Mayor Upchurch indicated sometime during the day, the Council needs to go into Executive Session to vote on the Sir Walter Raleigh Awards which will be presented at the opening of the Home and Garden Show. Mr. Walters indicated he knew the Home and Garden Show was coming up but the City Council has not received any official word from Administration as to how the Council is expected to participate. Mr. Benton indicated information had been forwarded the previous day to Council.

CONSENT AGENDA

CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Consent Agenda indicating all items are considered to be routine and may be enacted by one motion. If a Councillor requests discussion on an item, the item will be removed from the Consent Agenda and considered separately. He explained the vote on the Consent Agenda would be a roll call vote. Ms. Block requested that the agreement between the City and Carolina Power & Light Company be withdrawn. Without objection, the item was withdrawn. Mr. Congleton moved Administration's recommendation on the remaining items on the Consent Agenda be upheld. His motion was seconded by Mr. Walters and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

PRIVILEGE LICENSE APPLICATIONS - EDWINA'S CUISINE AND RALEIGH HILTON - APPROVED

(1) This is a privilege license application for "Edwina's Cuisine," located at 2990 Essex Circle. The owner, McKenzie Bradford Steed, is the individual making application. City Code Sections 2-2032(2) and 12-2118(2) require City Council approval before a license may be issued for a dance hall, classified as a class one entertainment center. Police and Inspections reports indicate approval.

Recommendation: It is recommended that this privilege license be approved.

(2) This is a privilege license application for the "Raleigh Hilton," located at 1707 Hillsborough Street. The manager, Kimberly Susan Dietz, is the individual making application. City Code Sections 2-2032(2), (3), (5), and 12-2118(3) require City Council approval before a license may be issued for a dance hall, public club with live entertainment, classified as a class two entertainment center. Police and Inspections reports indicate approval.

Recommendation: It is recommended that this privilege license be approved.

Consent Agenda approval: Congleton/Walters - 8 ayes.

ANNEXATION - HARTFORD HILLS - CORRECTING ORDINANCE ADOPTED

On December 18, 1984, the Council approved a petitioned annexation known as Hartford Hills. The detailed boundary description provided at that time was incorrect. A revised, corrected boundary description has been prepared and was included in the Council Members' Agenda packet.

Recommendation: That the Council approve the corrected boundary description for the Hartford Hills annexation area. Consent Agenda approval: Congleton/Walters - 8 ayes.

ORDINANCE NO. (1985) 481

AN ORDINANCE TO AMEND ORDINANCE NO. (1984) 465 ADOPTED 12/18/84

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Ordinance No. (1984) 465 adopted by the City Council on December 18, 1984, be amended by replacing the description of Hartford Hills annexation area with the following description:

ANNEXATION DESCRIPTION
HARTFORD HILLS

BEGINNING at a point in the existing Raleigh City Limits (December 1, 1984) said point also being in the western right-of-way of Duraleigh Road and the southern right-of-way extended of Pleasant Valley Road; thence westerly with the proposed extension of Pleasant Pleasant Valley Road, leaving said City Limits, the following courses and distances: South 84° 10' 11" East 99.30 feet; along a curve to the right, said curve having a radius of 330 feet and an arc distance of 201.59 feet; South 40° 10' 11" seconds East 224.16 feet; along a curve to the left, said curve having a radius of 270.00 feet and an arc distance of 169.28 feet; South 85° 05' 35" East 479.81 feet to a point at the end of this section of the proposed Pleasant Valley Road extension thence across the termination point of Pleasant Valley Road extension North 9° 10' 31" East 60.13 feet to a point in the southern boundary of the Hartford Hills Apartments project; thence with the northern right-of-way line extended of the proposed Pleasant Valley Road Extension North 85° 10' 12" West 90.54 feet; thence along the western boundary of the Hartford Hills Apartments project, said boundary also being the eastern boundary of the Raleigh Memorial Park, North 4° 50' 52" East 919.06 feet to the northwestern corner of said project; thence easterly with the northern boundary of Hartford Hills Apartments project the following courses and distances: North 43° 44' 50" East 53.00 feet, South 46° 26' 05" East 174.79 feet, North 43° 33' 53" East 151.52 feet, South 46° 10' 00" East 290.00 feet, South 43° 49' 33" West 79.50 feet, South 46° 16' 47" East 209.84 feet, North 43° 34' 32" East 287.22 feet, South 46° 09' 23" East 278.34 feet, North 36° 06' 01" East 85.79 feet, North 18° 44' 04" West 284.62 feet, south 46° 25' 28" East 66.12 feet, South 18° 44' 04" seconds West 265.94 feet, South 36° 06' 01" West 399.81 feet, South 51° 59' 39" East 436.96 feet to a point on the western right-of-way of Duraleigh Road, said point also being in said existing City Limits; thence southerly along the western right-of-way of Duraleigh Road 425.31 feet to the point of BEGINNING said property containing approximately 23.35 acres.

For further reference, see the Raleigh City Council site plan for Hartford Hills, drawn by Paton, Zucchino and Associates, P.A., as found in file G.H.-181 in the Raleigh City Planning Department.

Adopted: 2/5/85

RENTAL REHABILITATION PROGRAM - GRANT ACCEPTED - MAYOR AUTHORIZED TO SIGN

On December 4, 1984, City Council authorized submission of a program description to the U. S. Department of Housing and Urban Development for the Rental Rehabilitation Program.

HUD has approved our program description and obligated $135,000 in Rental Rehabilitation Program Grant funds.

Recommendation: That the City Council accept a grant from the U.S. Department of Housing and Urban Development in the amount of $135,000, for the Community Development Rental Rehabilitation Program and that the Mayor be authorized to sign the required funding approval form and grant agreement. Consent Agenda approval: Congleton/Walters - 8 ayes.

RETIRED SENIOR VOLUNTEER PROGRAM - GRANT ACCEPTED - BUDGET AUTHORIZED

Notice has been received of a grant award from ACTION for the 1985 RSVP Program. City Council approved the submission of the grant application on October 16, 1984. The grant is for 11 months, February 1 - December 31, 1985. ACTION desires to have the fiscal year correspond to the calendar year.

The 1985 RSVP Program cost is $91,722, consisting of $37,736 from ACTION, $41,166 City share, and $12,820 in in-kind services. The City share has been appropriated in the current Human Resources Department budget, line item 02-2-2000-0301.

Recommendation: That this grant be accepted and the budget authorized as follows:

0100	Salaries	$53,166
0101	Fringes	10,749
0102	In-Kind	12,820
0226	Equipment Maintenance	90
0228	Postage/Telephone	2,052
0231	Staff Travel	1,155
0232	Office Rent	1,430
0240	Printing and Reproduction	540
0260	Office Supplies	562
0265	Volunteer Recognition	1,000
0266	Volunteer Insurance	1,058
0267	Volunteer Meals	100
0268	Volunteer Travel	7,000
	Total	$91,722

Consent Agenda approval: Congleton/Walters - 8 ayes.

ORDINANCE NO. (1985) 482

AN ORDINANCE TO AMEND THE 1984/1985 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1984/1985 Budget be amended to reflect acceptance of the 1985 RSVP Grant:

Revenue:	02-1-4490-0100	Action/RSVP	$37,736.00
	02-1-4490-0101	City Cash Match	41,166.00
	02-1-4490-0102	RSVP-In Kind	12,820.00
		Total	$91,722.00
Expense:	02-2-4490-0000	RSVP-12 Year	$ -0-
	02-2-4490-0100	Salaries	53,166.00
	02-2-4490-0101	Fringes	10,749.00
	02-2-4490-0102	In-Kind	12,820.00
	02-2-4490-0226	Equipment Maintenance	90.00
	02-2-4490-0228	Postage/Telephone	2,052.00
	02-2-4490-0231	Staff Travel	1,155.00
	02-2-4490-0232	Office Rent	1,430.00
	02-2-4490-0240	Printing & Reproduction	540.00
	02-2-4490-0260	Office Supplies	562.00
	02-2-4490-0265	Volunteer Recognition	1,000.00
	02-2-4490-0266	Volunteer Insurance	1,058.00
	02-2-4490-0267	Volunteer Meals	100.00
	02-2-4490-0268	Volunteer Travel	7,000.00
		Total	$91,722.00

Adopted: 2/5/85

COMMUNITY DEVELOPMENT - PUBLIC HEARINGS AUTHORIZED

The Community Development Department requests, pursuant to Federal guidelines, the scheduling of two public hearings for the purpose of receiving input from citizens on the 1985-86 proposed Community Development budget and activities.

Recommendation: That the first hearing be held March 5 during the evening City Council session and the second hearing be held on April 2 during the evening City Council session. Consent Agenda approval: Congleton/Walters - 8 ayes.

ROCK QUARRY ROAD BIKE TRAIL - PROJECT AWARDED TO GELDER AND ASSOCIATES - FUNDS APPROPRIATED; PHASE I OF CONTRACT RETAINAGE REDUCED

The City currently has a contract to build the first phase of this bike trail which is south of the Beltline to Creech Road. This work is substantially complete. The second phase has been funded in the 1984-85 budget.

It is desirable to retain the present contractor on the job to do the remaining part of this project. It has been difficult to get contractor interest in such small projects.

Recommendation:

a. That Council approve Change Order #2 with Gelder and Associates, increasing the contract from $69,749.35 to $159,594.59 with the following transfer of funds:

Transferred From:		
32-2-7000-0100	Rock Quarry Rd. Bike Tr., Phase II	$75,000.00
39-2-5100-0100	Rock Quarry Rd. Bike Tr. - Unencumbered	5,250.65
34-2-3300-0201	Bikeways	1,724.52
		$81,975.17
Transferred To:		
39-2-5100-0100	P.W. 1983-10	$81,975.17

b. Reduce the retainage on Phase I to 2%.

Consent Agenda approval: Congleton/Walters - 8 ayes. See Ordinance 484 TF 15.

STREET REPAIRS - NORTH HAVEN SUBDIVISION - CONTRACT WITH GELDER AND ASSOCIATES APPROVED - FUNDS APPROPRIATED

Within North Haven Subdivision, there are several streets which the developer has not satisfactorily completed and the City has not accepted. An agreement has been reached with the developer to use funds which would be available from reimbursement to him from utility acreage fees to make the repairs.

A contract proposal has been received from Gelder and Associates to make the necessary street repairs for $9,050 which is covered by the available funds in the utility acreage fees.

Recommendation: That the Council approve the contract with Gelder and Associates for $9,050 and authorize the transfer of funds to complete the improvements to the street sections. Consent Agenda approval: Congleton/Walters - 8 ayes. See Ordinance 484 TF 15.

WHITE-HOLMAN HOUSE - ARCHAEOLOGICAL STUDY - CONTRACT WITH ARCHAEOLOGICAL RESEARCH CONSULTANTS, INC. - APPROVED

In accordance with Federal requirements, any agency proposing to relocate a house that is individually listed on the National Register, must perform an archaeological survey of the site.

The City has received the following proposals and fee schedules:

Mid-Atlantic Archaeological Research, Inc.	$18,957.99
Archaeological Research Consultants, Inc.	$10,176.16

After review of the proposals, the City has successfully negotiated the fee schedule presented by Archaeological Research Consultants, Inc., for a lump sum of $5,987.

Recommendation: That the proposal and negotiated fee schedule of $5,987, submitted by Archaeological Research Consultants, Inc., be approved for contract. Consent Agenda approval: Congleton/Walters - 8 ayes.

SEWER EASEMENT - BILTMORE HILLS PARK AREA - APPROVED

A request has been received to allow the extension of a sanitary sewer line across a short section of greenway to serve a new housing project. A copy of the proposed easement area was included in the Agenda packet.

The greenway area is near Biltmore Hills Park. The easement would be a width of 20 feet and a distance of approximately 60 feet.

Recommendation: That the easement be granted subject to City approval of plans for soil stabilization after excavation. Consent Agenda approval: Congleton/Walters - 8 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON SECOND AND FINAL READING

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. The applications were approved on the first reading during the January 15, 1985, Council Meeting. It would be appropriate for the Council to approve these on a second and final consideration.

Willie Louis Brooks, Research Triangle Taxi and Transfer (New Individual Owner's Permit)

William Rolland, Ebony Cab Company (New Individual Owner's Permit)

Nelson Ndwiga Ngari, Safeway Cab Company (New Individual Owner's Permit)

Melvin Webster, City Taxi Company (New Individual Owner's Permit)

Mrs. Lucille Crowder, Rainbow Cab Company (New Individual Owner's Permit)

Willie Yarbrough and William Hall, Rainbow Cab Company (Renewal of Individual Owner's Permits)

Consent Agenda approval: Congleton/Walters - 8 ayes.

TAXICAB OWNER'S PERMIT - APPROVED ON FIRST READING; TO BE PLACED ON FEBRUARY 19, 1985, AGENDA

Applications have been received from the following to operate a taxi. The applications have been checked and meet the requirements of Section 12-2053 of the City Code. Approval is recommended. If approved, these applications will be placed on the February 19, 1985, Agenda for second and final consideration.

Edward Lee Godette, Associated Cab Company (New Individual Owner's Permit)

Jacob O. Ambala, Raleigh Triangle Taxi & Transfer Company (New Individual Owner's Permit)

Irene Cobb Perry, Associated Cab Company (New Individual Owner's Permit)

David E. Ogega, Safeway Cab Company (New Individual Owner's Permit)

Charles Jennings Prince, Jr., and Wayne Edward Leechford, Airport-Hotel-Campus Express (New Limousine Franchise)

Garland Thompson, Jr., Ebony Cab Company (Renewal of Individual Owner's Permit)

Mrs. Arranda L. Sanders, Associated United Cab Company (New Individual Owner's Permit)

Consent Agenda approval: Congleton/Walters - 8 ayes.

BUDGET AMENDMENT - PARKS AND RECREATION DEPARTMENT - AUTHORIZED

The Agenda presented a budget amendment in the Parks and Recreation Department in the amount of $25 to place into an expenditure account the donation of $25 received from the night division of the Woman's Club of Raleigh for trees and shrubs. Administration recommends approval of the budget amendment. Consent Agenda approval: Congleton/Walters - 8 ayes.

ORDINANCE NO. (1985) 483

AN ORDINANCE TO AMEND THE 1984/1985 BUDGET ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the 1984/1985 Budget be amended as follows to reflect Change Order G2, Civic Center Lower Lobby Addition, McDevitt & Street:

Revenue:	40-1-0070-0200	Misc. Income	$ 4,533.00
Expense:	40-2-1516-0101	Civic Center Underground Passage	$ 4,533.00

Section 2. That the 1984/1985 Budget be amended as follows to reflect placement into expenditure account donation of $25.00 from Woman's Club of Raleigh for trees and shrubs:

Revenue:	01-1-0070-0200	Misc. Income	$ 25.00
Expense:	01-2-6020-0284	Trees & Shrubs	$ 25.00

Adopted: 2/5/85

REHABILITATION LOAN - APPROVED

The following Community Development rehabilitation loan applications have been researched and reviewed according to administrative procedures and are recommended for City Council approval:

Case Number: B-84-MC-002
Davie Street Presbyterian Church
300 East Davie Street
Loan Amount: $20,150.00

Case Number: B-84-MC-003
Nannie Crump and Rebecca LaSane
705 East Martin Street
Total Amount: $26,000.00

Recommendation: Approval is recommended. Consent Agenda approval: Congleton/Walters - 8 ayes.

PRIVILEGE LICENSE - REFUND REQUEST FROM DUTY TIRE & MUFFLER, INC. - APPROVED

Ms. Nancy Duty, Office Manager, representing Duty Tire & Muffler, Inc., located at 2814 Trawick Road, has given written request for a refund of $112.50 for the 1984-1985 privilege license year. The reason for this request is that this business is located outside the City Limits.

This request and the amount of money in question has been verified.

Recommendation: That the amount of $112.50 be refunded to Duty Tire and Muffler, Inc. Consent Agenda approval: Congleton/Walters - 8 ayes.

UTILITY ACCOUNT OVERPAYMENT - REQUESTED REFUND - APPROVED

The Council has previously requested that they be notified of refunds to customers of water/sewer accounts involving errors by the City and/or customer.

Name: Lewis Strother

Address: 257 Pecan Road

Amount: Refund $434.54

Reason: City records indicate that the customer has been billed for water and sewer services since 1964. The customer actually tied onto the City services on July 26, 1984.

Consent Agenda approval: Congleton/Walters - 8 ayes.

TRAVEL REIMBURSEMENT - CITY COUNCIL MEMBER - AUTHORIZED

In accordance with Resolution No. (1982)-829, adopted on February 16, 1982, the following travel plans have been submitted by Mayor Upchurch:

Location: Washington, D.C.

Date: January 17, 1985

Purpose: To attend the Harvard Mayor's Leadership Institute Class

Estimated Reimbursement: $173.40

Approval is recommended. Consent Agenda approval: Congleton/ Walters - 8 ayes.

GREEN ROAD COMMUNITY CENTER - CAPITAL FUND ITEM - APPROVED

A Capital Fund item in the amount of $3,005.54 was presented for the purpose of funds for Carolina Power & Light Company to provide underground service to the new Green Road Community Center and to relocate a line that is under the proposed building. Administration recommends approval. Consent Agenda approval: Congleton/ Walters - 8 ayes. See Ordinance 484 TF 15.

MUNICIPAL BUILDING - CHANGE ORDER P-3 TRIANGLE MECHANICAL CONTRACTOR - APPROVED - FUNDS APPROPRIATED

The Agenda presented Change Order P-2, Triangle Mechanical Contractors, Inc., relating to the Municipal Building. This change order is a decrease of $1,000 to provide credit to the City in lieu of construction of fire hose valves in stairways of the Municipal Building. The Agenda also outlined the Code accounts that should be amended if the change order is approved. Administration recommends approval. Consent Agenda approval: Congleton/Walters - 8 ayes. See Ordinance 484 TF 15.

CIVIC CENTER - CHANGE ORDER G-2 - McDEVITT AND STREET - APPROVED - FUNDS APPROPRIATED

Change Order G-2 - McDevitt and Street relating to the Civic Center lower lobby addition was presented. The change order is an addition of $4,553 and is needed to add an 8 inch reinforced concrete masonry wall to support Phase 1 floor slab and 5 year termite treatment of underground areas. The Agenda outlined the code accounts that should be amended if the change order is approved. Administration recommends approval of the change order and transfer. Consent Agenda approval: Congleton/Walters - 8 ayes. See Ordinance 484 TF 15.

TRANSFERS - ADMINISTRATIVE - MANAGER'S ACTIONS CONCURRED WITH

Council Members received in their Agenda packet a list of administrative transfers which have been authorized according to Council procedure. Concurrence with the Manager's action is recommended. Consent Agenda approval: Congleton/Walters - 8 ayes. The transfers were as follows:

FROM	TO	AMOUNT
01-2-4110-0700	01-2-4110-0600	$ 30.00
01-2-1230-0281	01-2-1230-0231	41.89
06-2-7040-0701	06-2-7010-0289	500.00
01-2-1090-0231		80.00
01-2-1090-0213		68.00
	01-2-1090-0703	148.00
02-2-5350-0100	02-2-5350-0260	800.00
01-2-1030-0211	01-2-1030-0231	100.00
01-2-5010-0231	01-2-5010-0213	740.00
18-2-1000-0001	18-2-0800-0701	667.50
19-2-8020-0260	19-2-8010-0260	100.00
FROM	TO	AMOUNT
19-2-8350-0260	19-2-8010-0260	100.00
18-2-1000-0001	18-2-1000-0711	497.00
01-2-5050-0709	01-2-5050-0701	10.00
01-2-4030-0226	01-2-4030-0721	22.00
01-2-1230-0281	01-2-1230-0226	200.00
01-2-4040-0620	01-2-4040-0727	500.00

TRANSFERS - WITHIN VARIOUS DEPARTMENTS - ORDINANCE ADOPTED

The Agenda listed recommended transfers within the Parks and Recreation, Public Utilities and Transportation Departments with recommendation of approval. The Agenda outlined the Code accounts and the purposes of the transfers. Administration recommends approval. Congleton/Walters - 8 ayes.

ORDINANCE NO. (1985) 484 TF 15

WHEREAS, it appears desirable and for the best interest of the City of Raleigh and its citizens that funds in the amounts hereinafter set forth heretofore appropriated as set forth in the appropriations ordinance adopted June 19, 1984, and included in the budget for the fiscal year ending June 30, 1985, be transferred from one account as permitted and authorized by the General Statutes of North carolina, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the amounts hereinafter set forth be and are hereby transferred for the purpose shown:

CODE ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From 01-2-1040-0001	Contingency	$37,500.00
To 01-2-1050-0390	Carolina Regional Theatre	37,500.00
Purpose: To provide funds for grant to Carolina Regional Theatre.		
From 32-2-7000-0100	Rock Quarry Rd. Bike Trial Ph. II	$75,000.00
39-2-5100-0100	Rock Quarry Rd. Bike Trail Unencumber..	5,250.65
34-2-3300-0201	Bikeways	1,724.52
To 39-2-5100-0100	PW 1983-10	81,975.17
Purpose: Change Order - Rock Quarry Road Bike Trail - Gelder & Assoc., #2.		
From 08-2-0000-0001	Council Reserve	$ 4,898.18
From 06-2-7100-0002	Contingency	4,162.74
To 32-2-5033-0101	PW 1985-4	9,060.92
Purpose: To provide funds to bring up to acceptable standards the streets in North Haven Subdivision.		
From 37-2-2650-0101	Green Rd. Park	$ 2,513.77
From 38-2-3040-0100	Green Rd.	491.77
To 38-2-3040-0104	Green Rd. D	3,005.54
Purpose: Funds for Carolina Power & Light Co. to provide underground service to the new Green Rd. Community Center and to relocate a line that is under the proposed building.		
From 34-2-3805-0105	Municipal Building Plumbing	$ 1,000.00
To 34-2-3805-0102	Municipal Block "B"	1,000.00
Purpose: Change Order - Municipal Building - Triangle Mechanical Contract, Inc., #P-2.		
From 01-2-1040-0001	Contingency	$16,200.00
To 01-2-6020-0921	Water & Sewer Reimb.	16,200.00
Purpose: To supplement account for remainder of fiscal year.		

CODE	ACCOUNT	OBJECT CLASSIFICATION	AMOUNT
From	19-2-8390-0100	Salaries	$10,000.00
	19-2-8390-0700	Equipment	5,000.00
	19-2-8390-0534	Prog. Reserve	5,000.00
To	19-2-8390-0101	Salaries Contractual	20,000.00

Purpose: To provide contractural salaries for increased program demands by the public.

From	37-2-2430-0200	Methodist Home Improv.	$ 1,060.00
To	37-2-2430-0210	Methodist Home Plan	1,060.00

Purpose: For additional consultant services, two additional meetings, additional plan preparation, extra printing/distribution for Fred Fletcher Park.

From	06-2-7100-0002	Contingency	$ 4,100.00
To	01-2-3030-0710	Walls/Partitions	2,100.00
To	01-2-3030-0712	Office Furniture	2,000.00

Purpose: To provide funds for improvements and furnishings in the reception, complaint and supervisory areas of the consumer services offices.

From	01-2-1230-0281	St. Lighting	$ 2,600.00
To	01-2-1230-0764	Security System	2,600.00

Purpose: To purchase and install a security system for the Traffic Engineering Field Shop.

From	34-2-3807-0100	Telephones	$20,000.00
To	34-2-3805-0111	Mun. Bldg. Sidewalks	20,000.00

Purpose: Extending brick sidewalk on Hargett Street to McDowell Street - includes architect's fee.

From	34-2-3807-0100	Telephones	$16,200.00
To	34-2-3805-0114	Air Lock Vestibule	16,200.00

Purpose: Installing an air lock vestibule in front lobby of Municipal Building - includes architect's fee.

From	34-2-3807-0100	Telephones	$26,504.00
To	34-2-3810-0101	Mun. Parking General	26,504.00

Purpose: Contract Change Order - Municipal Parking Deck - Suitt Construction Company - #G-2.

From	42-2-9010-0291	Operating Deficit	$16,000.00
To	42-2-9010-0280	Transit Marketing	16,000.00

Purpose: To provide necessary funds for Transit Marketing Study.

From	06-2-7100-0002	Contingency	$ 7,500.00
To	06-2-7100-0100	Salaries	7,500.00

Purpose: For funding Engineer Technician position.

From	01-2-1040-0001	Contingency	$16,500.00
To	01-2-4110-0233	Main. & Oper.	16,500.00

Purpose: To supplement budget for repair damaged fire pumper.

Adopted: 2/5/85

BID REQUEST 84-45 - TWO TURF TRACTORS WITH SICKLE BAR AND MOWER - BID AWARDED TO SENTER-SANDERS TRACTOR CORPORATION

Pursuant to advertisement as required.by law, bids were received and publicly opened in the office of the Purchasing Agent on January 3, 1985, for two Turf Tractors with sickle bar and mower less trade with results as follows: Senter-Sanders Tractor Corp. - $28,600.00; R. W. Moore Equipment Co. - $43,436.44. Administration recommends awarding of the bid to Senter-Sanders Tractor Corp. Consent Agenda approval: Congleton/Walters - 8 ayes.

BID REQUEST 84-46 - CAST IRON SOIL PIPE - BID AWARDED TO PUMP AND LIGHTING COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on January 24, 1985, for cast iron soil pipe with results as follows: Pump and Lighting Co. - $11,272.80; Noland Co. - $12,680.10; Ferguson Enterprises - $12,849.60; The Poe Corp. - $13,316.40. Administration recommends awarding the bid to Pump and Lighting Co. Consent Agenda approval: Congleton/Walters - 8 ayes.

BID REQUEST 84-48 - SLOPEMOWER TRACTOR MOUNTED - BID AWARDED TO SENTER-SANDERS TRACTOR CORPORATION

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on January 24, 1985, for a slopemower tractor mounted with results as follows: Senter-Sanders Tractor Corp. - $26,220.00; Right-of-Way Equipment Co. - $26,571.00; Revels Tractor Co., Inc. - $27,900.00; Wendell Tractor and Implement Co., Inc. - $30,990.46. Administration recommends the low bid of Senter-Sanders Tractor Corporation be awarded. Consent Agenda approval: Congleton/Walters - 8 ayes.

BID REQUEST 84-50 - FIVE CAB AND CHASSIS - BID AWARDED TO BOBBY MURRAY CHEVROLET COMPANY

Pursuant to advertisement as required by law, bids were received and publicly opened in the office of the Purchasing Agent on January 24, 1985, for five cab and chassis with results as follows: Bobby Murray Chevrolet Co. - $88,997.30; Sir Walter Chevrolet - $91,036.25; North State Ford Truck Sales - $92,090.00. Administration recommends the low bid submitted by Bobby Murray Chevrolet Company be awarded. Consent Agenda approval: Congleton/Walters - 8 ayes.

P.U. PROJECTS 1985-4 AND 5 - CARTWRIGHT DRIVE/LAKE WHEELER ROAD AREAS - RESOLUTION OF INTENT ADOPTED

Administration recommends that approximately 3,000± feet of 8 inch sewer main be installed in Cartwright Drive south to Monticello Drive, thence west to Dodsworth Drive at an estimated cost of $78,000 with assessment on a per lot basis (P.U. 1985-4).

Administration also recommends that approximately 10,700 feet of 12 inch water main be installed from the existing 12 inch water main on Lake Wheeler Road to Holly Springs Road, thence to tie into existing 12 inch water main on Gorman Street at an estimated cost of $321,000, with assessment to be by fee in-lieu-of. It was pointed out this project is necessary due to insufficient pressure in the area (P.U. 1985-5).

Recommendation: That the City Council adopt a Resolution of Intent to set a public hearing date of March 5, 1985, to consider P.U. 1985-4 and P.U. 1985-5. Consent Agenda approval: Congleton/ Walters - 8 ayes.

RESOLUTION NO. (1985) 700

A RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO EXTEND THE WATER AND SEWER SYSTEM OF THE CITY OF RALEIGH AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFOR AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

WHEREAS, the City Council of the City of Raleigh is authorized by Article 10 of Chapter 160A of the General Statutes of North Carolina to direct that the water and sewer system of the City of Raleigh be constructed, reconstructed, extended and otherwise improved and the cost thereof to be assessed against lands assessable therefor; and

WHEREAS, the City Council of the City of Raleigh finds it to be in the best public interest to construct water and sewer mains located and described as follows:

(a) PU 1984-4 - Installation of approximately 3,000 feet ± of 8-inch sewer main in Cartwright Drive south to Monticello Drive, thence west to Dodsworth Drive (assessment on per lot basis).

(b) PU 1985-5 - Installation of approximately 10,700 feet ± of 12-inch water line from existing 12-inch main on Lake Wheeler Road to Holly Springs Road, thence to tie into existing 12-inch main on Gorman Street (assessment by feet in lieu of).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is intended that the above described improvements be made and that the costs thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Article 10 of Chapter 160A of the General Statutes of North Carolina.

Section 2. That 100 percent of the total cost of said improvement which can be assessed according to the provisions of Part 8, Chapter 2, Article B, Section 8-2033 et seq. of the City Code be assessed against the property receiving the improvement. Assessments will be made according to the following method: Front footage of property abutting the extension.

Section 3. That the terms and manner of payment of the assessments herein provided for shall be as follows: That said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact, in writing, to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of 6 percent per annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

Section 4. That a public hearing on all matters covered by this resolution shall be held on the 19th day of March, 1985, at 1:00 p.m., in the Council Chamber, Room 201, Municipal Building, or as soon thereafter as the matter can be reached.

Adopted: February 5, 1985

TRAFFIC - VARIOUS CHANGES - ADOPTED

Administration presented a recommended change in the Traffic Code relating to a stop sign installation on Comstock Road at Lake Ridge Drive. The Agenda outlined the need for the Traffic Code change. Administration recommends approval. Consent Agenda approval: Congleton/Walters - 8 ayes.

ORDINANCE NO. (1985) 485

AN ORDINANCE TO AMEND THE CITY OF RALEIGH TRAFFIC SCHEDULE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Traffic Schedule No. 2 entitled "STOP SIGNS" be amended by adding the following:

Comstock Road at Lake Ridge Drive

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective February 12, 1985.

Adopted: 2/5/85

Effective: 2/12/85

END OF CONSENT AGENDA

CAROLINA POWER & LIGHT COMPANY AGREEMENT - REFERRED TO PUBLIC WORKS COMMITTEE

The City Council recently approved a program calling for the conversion of all mercury vapor street lights in the City to the high pressure sodium-type light. In approving this program, it was requested that CP&L provide a wider variety of lights for purposes of cost savings in making the conversion program. Specifically, the Council asked that CP&L make available the 16,000 lumen high pressure sodium light. CP&L has proposed an agreement under which the light would be provided, with the agreement covering the following understandings:

a. The number of lights to be installed would be mutually determined by the City and CP&L;

b. The initial rate charged to the City would be $10.91 per month, standard overhead rate with the rate being subject to change in proportions similar to Utilities Commission approved rate changes for CP&L's other street light offerings;

c. The agreement would be void at such time as CP&L may achieve an approved, systemwide street lighting rate by the North Carolina Utilities Commission.

The above agreement is made necessary since CP&L is, at this time, providing the requested light only to the City of Raleigh and not through its normal Utilities Commission rate structure for CP&L systemwide use.

Recommendation: That the City Council approve and authorize the Mayor to execute an agreement between the City of Raleigh and Carolina Power and Light Company whereby CP&L will provide the 16,000 lumen high pressure sodium light source as requested by the City Council.

Ms. Block indicated this was studied in Public Works Committee and she has not had an opportunity to compare the recommendation of Public Works Committee with the terms of this agreement, therefore, she would like to refer this item to Public Works Committee to see how it fits in with the recommendation of Public Works Committee. Without objection, the item was referred to Public Works Committee.

SPECIAL ITEM

REZONING Z-138-84 - INTERSTATE 40 PROPERTY REZONED TO THOROUGHFARE DISTRICT AND RESIDENTIAL-10; ORDINANCE ADOPTED ON FIRST READING TO BE CONSIDERED ON SECOND READING FEBRUARY 19, 1985

Council Members received in their Agenda packet a copy of CR-5372 which was presented by the Planning Commission during the December 18, 1984 Council Meeting. During that meeting and again during the meeting on January 15, 1985, the City Council directed that the item be placed on this Agenda for further consideration.

This was a request for approval to rezone approximately 47.2 acres from Residential-4 (30.4 acres), Residential-6 (15.1 acres) and Residential-10 (1.7 acres) to Thoroughfare District (4.8 acres), Residential-10 (.48 acre) and Conservation/Buffer (1.9 acres - the proposed future right-of-way of Western Boulevard extension). Mr. Congleton moved that the petition be approved as requested with the exception that the property that was proposed to be rezoned to Conservation/Buffer (proposed future right-of-way of Western Boulevard extension) remain Residential-4. His motion was seconded by Ms. Babb. Planning Director Chapman explained the request and the

Planning Commission's recommendation. Mayor Upchurch indicated he had been concerned about access to this property and now he is satisfied with the access question. Ms. Block read from the Zoning Code the uses that are allowed in Thoroughfare District and explained that this property is surrounded by residential units. She read a letter from a property owner in the area which outlined the number of residences in the area, both single-family, multi-family apartments, etc. She stated this is a residential neighborhood involving hundreds of homes and the motion as stated would put all of these industrial uses right in the middle of these homes. Mr. Walters indicated the Council is not approving all of this listing of things being placed on this property. He pointed out it could be developed residential. He stated our Zoning Code needs to be revamped. Discussion took place with Ms. Cates pointing out we do need to update our Zoning Code. She stated she had given this case a lot of attention and she could not vote for this motion because of all of the allowed uses in Thoroughfare District. She indicated even though the Council has site plan approval, that doesn't mean that the Council could control what goes on this property as anything that is allowed in the Code could go on the property. She indicated she would vote against this case but she would support waiver of the two year waiting period if the Council gets conditional use zoning. Ms. Block compared this case to a case out on Louisburg Road pointing out she feels they are almost identical with Mr. Walters disagreeing. He indicated water and sewer is not available to the site on Louisburg Road and we do not know exactly where the Beltline will go in that area. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Keller and Ms. Cates and Ms. Block who voted in the negative. The Mayor ruled the motion adopted but explained that the ordinance would have to be placed on the next Agenda for a second reading as it received only five votes.

ORDINANCE NO. (1985) 486 ZC 153

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10. of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Interstate 40, east side, at its southern intersection with Western Boulevard extension, being Parcels 591, 6A, and a portion of Parcel 21, Tax Map 547, rezoned to Thoroughfare District (44.8 acres) and Residential-10 (.48 acre), according to map on file in the City of Raleigh Planning Department. (Z-138-84)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective upon the date of final adoption.

Adopted: 1st reading - 2/5/85
2nd reading - 2/19/85

REPORT OF THE PLANNING COMMISSION

PLANNING COMMISSION CONSENT AGENDA - APPROVED AS AMENDED

Mayor Upchurch presented the Planning Commission Consent Agenda indicating it would be handled in the same manner as the regular Consent Agenda. He indicated items marked with one asterisk beside the Certified Recommendation number are located within flood prone areas and items marked with two asterisks beside the Certified Recommendation number are located within the Falls Basin. The following items were removed from the Consent Agenda at the request of Council Members: Mr. Keller - CR-5423 (Z-19-85); Walters - CR-5421 (Z-17-85) and CR-5422 (Z-18-85); Calloway - CR-2424 (Z-20-85); Block - CR-5360 (PA-279); CR-5398 (SC-264) and CR-5406 (S-21-85). Mr. Congleton moved the Planning Commission's recommendations on the remaining items on the Consent Agenda be upheld. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. The items on the Consent Agenda were as follows:

PA-1-85 - THE COVE AT LAKE LYNN - APPROVED WITH CONDITION

This was a request for approval to transfer 22 units from 4.59 acres, zoned Conservation/Buffer, which are part of a 27.76 acre tract, zoned Residential-10, Residential-6 and Conservation/Buffer. The site plan is for a 225-unit apartment project.

The property is located on the east side of Leesville Road, just north of Ray Road, outside the City Limits.

CR-5389 from the Planning Commission recommended that this request be approved according to a map entitled, "The Cove at Lake Lynn," the property of Lynn Lake Cove Associates, drawn by LADCO, dated January 9, 1985, with the condition that the site plan be recorded in conformance with Section 10-2022. Consent Agenda approval: Congleton/Babb - 8 ayes.

SC-262 - QUALITY OIL COMPANY SIGN - DENIED

This was a request for approval to construct a 45.5 square foot free-standing sign on a 0.6 leased out parcel developed as an automotive service station, zoned Shopping Center.

The property is located on the southwest corner of Wake Forest Road and Falls of Neuse Road, inside the City Limits.

CR-5397 from the Planning Commission recommended that this request be denied according to a map entitled, "Quality Oil Company Sign (Eastgate Shopping Center)," the property of Quality Oil Company, drawn by Quality Oil Company, dated October 17, 1984. Consent Agenda approval: Congleton/Babb - 8 ayes.

PA-18-85 - TAMMY LYNN CENTER - APPROVED WITH CONDITION

This was a request for approval to construct a 3,950 square foot building on a 0.68 acre site as an addition to the Tammy Lynn Center. The property is zoned Office and Institution-I and is vacant.

The property is located at the southern end of Chappel Drive, adjacent to the existing Tammy Lynn Center, inside the City Limits.

CR-5407 from the Planning Commission recommended that this request be approved according to a map entitled, "Tammy Lynn Center," the property of Tammy Lynn Memorial Foundation, Incorporated, drawn by Quick Associates, dated June 28, 1984, with the condition that the cross-parking agreements are reviewed and approved by the City Attorney's Office prior to issuance of a certificate of occupancy. Consent Agenda approval: Congleton/Babb - 8 ayes.

SC-7-85 - NORTH HILLS MALL ADDITIONS - APPROVED

This was a request for approval to renovate the exterior and entranceway for an existing shopping center by enclosing a staircase and adding glass doors (1,520 square feet). The site is zoned Shopping Center.

The property is located at the northwest corner of Six Forks Road and the Beltline, inside the City Limits.

CR-5408 from the Planning Commission recommended that this request be approved according to a map entitled, "North Hills Mall Additions," the property of North Hills, Incorporated, drawn by Quick Associates, dated November 7, 1984. Consent Agenda approval: Congleton/Babb - 8 ayes.

STREET NAME CHANGE - CROSSINGS WAY TO PLAZA PLACE - APPROVED

This was a request for approval to change the name of Crossings Way to Plaza Place.

CR-5409 from the Planning Commission recommended that this request be approved and forwarded to the City Council for final action. Consent Agenda approval: Congleton/Babb - 8 ayes. (The Agenda indicated this was "One Crossings Way" however Planning Director Chapman explained it should be "Crossings Way.")

PA-19-85 - LOT 31 COMMERCE PARK - APPROVED WITH CONDITION

This was a request to construct a 25-foot wide driveway across a 50-foot strip of land zoned Office and Institution-III. The site is a 3.5 acre tract (2 parcels) which is split-zoned Office and Institution-III and Industrial-I.

The property is located on the east side of US 1 North, just north of Oak Forest Road, outside the City Limits.

CR-5410 from the Planning Commission recommended that this request be approved according to a map entitled, "Lot 31, Commerce Park," the property of T. Ed Bailey, drawn by Walter Davis, dated April, 1984, with the condition that the cross-access agreement be reviewed and approved by the City Attorney's Office prior to issuance of a building permit. Consent Agenda approval: Congleton/Babb - 8 ayes.

CP-1-85 - SOUTHEAST RALEIGH COLLECTOR STREETS CHANGES - APPROVED

This was a request for approval to amend the Major Street Plan of the Comprehensive Plan of the City of Raleigh to include changes in Southeast Raleigh collector streets in the general area bounded by the Beltline, Poole Road, Rock Quarry Road, and part of Walnut Creek in the Southeast Planning District.

CR-5411 from the Planning Commission recommended that CP-1-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes.

RESOLUTION NO. (1985) 701

A RESOLUTION TO AMEND THE COMPREHENSIVE PLAN, CP-1-85

WHEREAS, the purpose of the Comprehensive Plan is to provide general guidance to the City agencies, other public agencies, private individuals, and organizations as they prepare detailed plans, programs, or ordinances; and

WHEREAS, it is the intent of the City Council to maintain and amend this plan as the official statement of the City Council policy concerning this to development of the City of Raleigh; and

WHEREAS, after careful review of the development patterns of in areas of the Southeast Planning District, revisions to the Collector Street Plan are needed in the area bounded by the Beltline, Poole Road, Rock Quarry Road, and part of Walnut Creek.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF RALEIGH, NORTH CAROLINA that the Collector Street Plan of the Comprehensive Plan be amended by change certain proposed Collector Streets in the Southeast Planning District as in the attached amendment number CP-1-85.

Adopted: 2/5/85

REZONING Z-6-85 - LAKE LYNN - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 6.6 acres from Residential-4 to Conservation/Buffer.

CR-5412 from the Planning Commission recommended that Z-6-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-7-85 - CREEDMOOR ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 10 acres from Residential-4 to Residential-6.

CR-5413 from the Planning Commission recommended that Z-7-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-8-85 - LEADMINE ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 57.2 acres from Residential-4 to Residential-6.

CR-5414 from the Planning Commission recommended that Z-8-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-9-85 - SIX FORKS ROAD - REZONED TO RESIDENTIAL-6 - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 7.5 acres from Residential-4 to Residential-10.

CR-5415 from the Planning Commission recommended that Z-9-85 be approved as amended; that is, that the property contained in Z-9-85 be rezoned to Residential-6. Consent Agenda approval: Congleton/ Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-10-85 - FALLS OF NEUSE ROAD - DENIED

This was a request for approval to rezone approximately one-half acre from Residential-4 to Neighborhood Business.

CR-5416 from the Planning Commission recommended that Z-10-85 be denied. Consent Agenda approval: Congleton/Babb - 8 ayes.

REZONING Z-11-85 - LITCHFORD ROAD - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 96.7 acres from Residential-1 to Residential-6 (23.8 acres south of Reedy Branch), Conservation/Buffer (4.4 acres along each side of the center line of the creek for a width of 50 feet below the pond), and Residential-4 (68.5 acres north of the creek).

CR-5417 from the Planning Commission recommended that Z-11-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-12-85 - FOREST RIDGE ROAD/RONALD DRIVE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 12 acres from Industrial-I to Office and Institution-I.

CR-5418 from the Planning Commission recommended that Z-12-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-15-85 - STATE STREET - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 12 acres from Residential-10 to Office and Institution-I.

CR-5419 from the Planning Commission recommended that Z-15-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-16-85 - TOWER COMMERCIAL PARK - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 4.7 acres from Neighborhood Business (1.3 acres) and Residential-6 (4.4 acres) to Industrial-I according to property lines and right-of-way lines (either existing or approved) as shown on the map entitled, "Tower Commercial Park," as drawn by Penny Greene and Associates.

CR-5420 from the Planning Commission recommended that Z-16-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-21-85 - SHELDON DRIVE - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 15 acres from Residential-10 to Residential-20.

CR-5425 from the Planning Commission recommended that Z-21-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

REZONING Z-23-85 - OAK ROAD - DENIED

This was a request for approval to rezone approximately 1.7 acres from Residential-4 to Residential-10.

CR-5426 from the Planning Commission recommended that Z-23-85 be denied. Consent Agenda approval: Congleton/Babb - 8 ayes.

REZONING Z-28-85 - WADE AVENUE EXTENSION - APPROVED - ORDINANCE ADOPTED

This was a request for approval to rezone approximately one acre from Office and Institution-I to Shopping Center.

CR-5427 from the Planning Commission recommended that Z-28-85 be approved as requested. Consent Agenda approval: Congleton/Babb - 8 ayes. See Ordinance 487 ZC 154.

END OF THE PLANNING COMMISSION CONSENT AGENDA

PA-279 - D'LITES OF AMERICA - APPROVED

This was a request for approval to construct a 3,312 square foot restaurant on a 0.75 acre parcel which is zoned Neighborhood Business.

The property is located on the southeast corner of Western Boulevard and Clanton Street, inside the City Limits.

CR-5360 from the Planning Commission recommended that this request be approved according to a map entitled, "D'Lites of America," the property of D'Lites of America, drawn by Jerry Turner and Associates, dated November 1, 1984.

Planning Director Chapman explained the plan pointing out the plan has been revised and shows separation of parking between the commercial and residential use pointing out there is no connection between the residential parking and the restaurant parking. Planning Commission Chairman McNeely indicated this was in Committee and discussion took place mainly about the parking and the property lines. He indicated the Committee met with the applicant and made changes in the site plan and in response to questioning, indicated the recombination was to more clearly separate the residential from the nonresidential uses. Ms. Block questioned if the Council is approving D'Lites or if the Council is also approving the 14 residential units. Planning Director Chapman indicated the front portion or the nonresidential requires Council approval but the back portion does not require Council approval. He indicated the plan on the board and available at the Council Meeting shows a different circulation than the plan in the Council Members' Agenda packet. Mr. McNeely indicated the Planning Commission did not deal with the noncommercial portion of this plan. Mr. Walters moved the Planning Commission's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

SC-264 - TACO BELL DRIVE-THROUGH WINDOW ADDITION - REFERRED TO THE PUBLIC WORKS COMMITTEE

This was a request for approval to add a drive-through window to an existing 1,628 square foot restaurant on 0.55 acre, zoned Shopping Center.

The property is located on the west side of Falls of Neuse Road, just south of Sandy Forks Road, inside the City Limits.

CR-5398 from the Planning Commission recommended that this request be approved according to a map entitled, "Taco Bell Drive-Through Window Addition," the property of Taco Bell, drawn by Taco Bell, dated December 4, 1984, with the condition that the Board of Adjustment grant a variance to the drive-through window stacking requirement.

Planning Director Chapman explained the plan. Chairman McNeely indicated the only question that came up related to the stacking requirement and the Planning Commission recommended approval with the condition that the Board of Adjustment grant a variance to the drive-through window stacking requirement. Mr. Chapman indicated they like three stacking spaces. Ms. Block pointed out this is on Falls of Neuse Road which already has traffic problems and she would like to look at it in Committee. Ms. Cates moved that the matter be referred to Public Works Committee. Her motion was seconded by Mr. Congleton and passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION S-21-85 - SWEETBRIAR CONDOMINIUMS - APPROVED WITH THE UNDERSTANDING IT WILL BE DEVELOPED WITHOUT PHASING

This was a request for approval to subdivide and construct 48 condominium units (consisting of 12 buildings) in two phases on 4.8 acres which are currently undeveloped and zoned Residential-10.

The property is located between Quail Ridge Road and Windy Hill Drive on the north side of Pointer Drive, inside the City Limits.

CR-5406 from the Planning Commission recommended that this request be approved according to a map entitled, "Sweetbriar Condominiums," the property of Thomas Gibson and Company, drawn by Little and Little, dated January 14, 1985, revised, January 15, 1985.

Planning Director Chapman explained the proposed subdivision. In response to questioning, Mr. McNeely indicated there was very little discussion on this case at the Planning Commission. Ms. Block indicated her problem is that it is proposed to be developed in two phases. She pointed out the Public Works Committee has developed an ordinance which is on the Agenda later today to prevent phased developments under certain conditions. She questioned if the City has any protection from the first phase being developed and the second phase being sold off. Mayor Upchurch indicated Mack Little is in the audience and since the Planning Commission did not discuss this item, he would like to hear from Mr. Little. Mr. Little indicated the property will be developed all at the same time. He indicated the land is separated and that is why it was shown as Phase I and Phase II. He stated, however, the property will be developed all at the same time. Mr. Congleton moved the Planning Commission's recommendation be approved with the understanding that the total subdivision will be built at the same time. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-17-85 - SPRING FOREST ROAD - TO BE PLACED ON MARCH 5, 1985, AGENDA AS SPECIAL ITEM

This was a request for approval to rezone approximately 26.7 acres from Residential-1 to Residential-10.

CR-5421 from the Planning Commission recommended that Z-17-85 be approved as amended; that is, that the property contained in Z-17-85 be rezoned to Residential-4.

Planning Director Chapman explained the request and the Planning Commission's recommendation. Chairman McNeely indicated there is a great deal of activity taking place in this general area and explained why the Planning Commission made the recommendation they did. Mr. Walters indicated it would be great if we had conditional use zoning pointing out on this particular case, he feels that it could produce something that could be supported by all. He stated, however, we do not have that authority and there hasn't been time for the neighbors and the petitioners to get together, therefore, he would like to defer action on this case and have it placed on the March 5, 1985, Agenda as a Special Item for consideration at that time. His motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-18-85 - FOX ROAD - REFERRED TO THE PUBLIC WORKS COMMITTEE

This was a request for approval to rezone approximately 30 acres from Residential-4 to Residential-6 (27.9 acres) and Conservation/ Buffer (2.2 acres - averaging 160 feet in width, south of Perry Creek, along the north side of the property).

CR-5422 from the Planning Commission recommended that Z-18-85 be approved as requested.

Planning Director Chapman explained the request and Chairman McNeely explained the Planning Commission's recommendation pointing out they felt that it would interface with the existing zoning and recent R-10 zoning in this area. Mr. Walters indicated he does not have a whole lot of argument with the Planning Commission's recommendation but pointed out Rezoning Request Z-94-84 is in Public Works Committee and he feels that we are going to have a lot of rezoning requests in the Perry Creek area and we should look at it very carefully, therefore, he would move that Rezoning Z-18-85 be referred to Public Works Committee. His motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REZONING Z-19-85 - U.S. HIGHWAY 64 EAST - PROPERTY REZONED TO THOROUGHFARE DISTRICT - ORDINANCE ADOPTED

This was a request for approval to rezone approximately seven acres from Residential-4 to Industrial-I.

CR-5423 from the Planning Commission recommended that Z-19-85 be approved as requested.

Planning Director Chapman explained the request and Chairman McNeely explained the Planning Commission's recommendation. He indicated there is a building already on the site ready to be erected. He stated this is a case of a nonconformity that needs to be brought into conformity. He indicated the Planning Commission, however, felt that Thoroughfare District would provide better screening than Industrial District but because of the circumstances involved and the need to bring the building into conformance, the Planning Commission recommended industrial. Planning Director Chapman indicated Thoroughfare District would possibly make the existing parking lot nonconforming and that may cause problems relating to the expansion of the existing building. Mr. Walters pointed out this property was incorrectly zoned when it came in the City's jurisdiction. He stated there is a paint company located there and it has been for a number of years and he feels that it should have been zoned industrial when it came into the City's jurisdiction but it was zoned R-4. He stated he would endorse the Planning Commission's recommendation and so moved. His motion did not receive a second. Ms. Block pointed out there is industrial zoning next to this but we developed the Thoroughfare District zoning and she feels it is perfect for this type location. She stated as she understands it, only the parking lot would be nonconforming and it could be made to conform, therefore, she would move that the property covered by Z-19-85 be rezoned to Thoroughfare District. Her motion was seconded by Mr. Keller. Mr. Walters pointed out he did not know of any place in this entire area that has been utilized as industrial use longer than this property. He indicated the City of Raleigh zoned it wrong to begin with as he feels it should have always been zoned industrial. He stated there is no Residential-4 in this area and he feels that the Council should change its policy and when property comes into our jurisdiction, we should zone it as close to possible to conform with its present use. In response to questioning, Mr. Chapman indicated if this property were zoned Thoroughfare District, it would be nonconforming because the existing parking lot would encroach on the 90 foot setback. It was pointed out with some changes in the parking lot, it could be a conforming use and building in Thoroughfare Districts. Mr. Walters stated he saw no need to zone it Thoroughfare District as we would be changing it from one nonconformity to another nonconformity. He stated it is an industrial use and in an industrial area and should be so zoned. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted. See Ordinance 487 ZC 154.

REZONING Z-20-85 - ROCK QUARRY ROAD - PROPERTY ZONED TO THOROUGHFARE DISTRICT - ORDINANCE ADOPTED

This was a request for approval to rezone approximately 12.3 acres from Residential-10 to Industrial-II.

CR-5424 from the Planning Commission recommended that Z-20-85 be approved as amended; that is, that the property contained in Z-20-85 be rezoned to Thoroughfare District.

Planning Director Chapman explained the request and Planning Commission Chairman McNeely explained the Planning Commission's recommendation. Mr. Calloway had questions relative to how much property is involved in the floodway and floodway fringe. He also had questions relative to setback requirements which were answered by Planner Hicks. Mr. Calloway questioned how access would be gained to this property with Planner Hicks indicating that the applicant has shown an access agreement through the old Watson property. Mr. Calloway moved the Planning Commission's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 487 ZC 154

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF RALEIGH WHICH INCLUDES THE ZONING DISTRICT MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That Section 10 of the City of Raleigh Code, which includes the Zoning District Map, be and the same is hereby amended as follows:

(a) Lake Lynn, generally located between Leesville and Ray Road, northwest side of the lake, being portions of Parcels 30 and 33, Tax Map 322, rezoned to Conservation/Buffer, according to map on file in the City of Raleigh Planning Department. The western boundaries of the proposal coincide with the 349 foot contour line int he area as shown on the map entitled "The Wray Property" drawn by LaMarr Bunn and Associates, and dated 12-1-83 (revised 11-30-84). (Z-6-85)

(b) Creedmoor Road, east side, between Morgan's Way and Strickland Road, being Parcel 395, Tax Map 301, (the parcel lies at the northeast corner of the intersection of Creedmoor Road and Morgan's Way) rezoned to Residential-6 District. (Z-7-85)

(c) Lead Mine Road, east side, between Foxwood Drive and Six Forks Road, being Parcels 4 and 5, Tax Map 324; and Parcel 23, Tax Map 302, rezoned to Residential-6 District. (Z-8-85)

(d) Six Forks Road, west side, between Sawmill Road and Lead Mine Road, being Parcel 43, Tax Map 324, rezoned to Residential-6 District. (Z-9-85)

(e) Litchford Road, east side, between the intersections of Woodstone Drive and Brookstone Court (west side of Litchford Road), south of Falls of Neuse and Durant Roads; being Parcel 3, Tax Map 304 (and 305), rezoned to Residential-6 (23.8 acres), Conservation/Buffer (4.4 acres), and Residential-4 (68.5 acres). The R-6 lies to the south of Reedy Branch; the R-4 to the north of the creek; the Conservation/Buffer is along each side of the centerline of the creek for a width of 50 feet below the pond. (Z-11-85)

(f) Forest Ridge Road and Ronald Drive, east ends, between Wake Forest Road and the Seaboard Railroad, being a portion of Parcel 71, Tax Map 437, rezoned to Office and Institution-I, according to a map on file in the City of Raleigh Planning Department. (Z-12-85)

(g) State Street, east side, at the northeast corner of the intersection with Oakwood Avenue, being a portion of Parcel 4, Tax Map 524, rezoned to Office and Institution-I, according to map on file in the City of Raleigh Planning Department. (Z-15-85)

(h) Tower Commercial Park, located north of the Raleigh Beltline and west of Trawick Road, four small areas located on Maitland Drive, Bastian Lane, Terminal Drive, and Lake Woodard Drive, rezoned to Industrial-I, according to property lines and right-of-way lines (either existing or approved) as shown on the map entitled "Tower Commercial Park", drawn by Penny Greene and Associates. (Z-16-85)

(i) U.S. Highway 64 East, north side, between New Hope Road and the Neuse River, just east of the intersection with Milburnie Road (SR 2216), being Parcel 13 and a portion of Parcel 5, Tax Map 527, rezoned to Thoroughfare District, according to map on file in the City of Raleigh Planning Department. (Z-19-85)

(j) Rock Quarry Road and Interstate 40, northwest corner of the intersection, being a portion of Parcel 19, Tax Map 580, rezoned to Thoroughfare District, according to map on file in the City of Raleigh Planning Department. (Z-20-85)

(k) Sheldon Drive, north and south sides, between Rush Street and Boone Trail, being Parcels 1-4, 50-52, and 215-218, Tax Map 632, rezoned to Residential-20 District. (Z-21-85)

(l) Wade Avenue Extension and Blue Ridge Road, about 500 feet west of the southwest corner of the intersection, being a portion of Parcel 19A, Tax Map 492 (and 491), rezoned to Shopping Center, according to map on file in the City of Raleigh Planning Department. (Z-28-85)

Section 2. That all laws and clauses of laws in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective February 5, 1985.

Adopted: 2/5/85

Effective: 2/5/85

COMMITTEES, COMMISSIONS, AND BOARDS

COMMITTEES, COMMISSIONS, AND BOARDS - INFORMATION RECEIVED

During the voting on the various vacancies on Committees, Commissions, and Boards, Council Members gave a brief report on the work of the Board or Committee that they serve as liaison to. Mr. Congleton reported on the Appearance Commission. Ms. Babb reported on the Civic Center Authority. Mr. Walters gave a brief report of the work of the Historic Properties and Historic Districts Commission. Ms. Cates gave a report on Parks and Recreation Advisory Board as well as Greenway. Mr. Keller gave a report on the Transit Authority. Mr. Calloway gave a report on Intergovernmental Liaison Committee and Ms. Block summarized the work of Committees, Commissions, and Boards and the importance of their work.

HISTORIC PROPERTIES COMMISSION - APPOINTMENTS MADE; NOMINATIONS TAKEN FOR ADDITIONAL VACANCY

The City Clerk reported two vacancies due to the resignations of Nat H. Robb and Cecelia Winslow. Nominations include J. C. Knowles, Mary Margaret Dixon and Barri Wells. Nominations have not been closed. There being no further nominations, nominations to the Historic Properties Commission were closed and a ballot vote resulted as follows: Knowles - 3 (Keller, Upchurch, Walters); Dixon - 6 (Congleton, Babb, Calloway, Cates, Upchurch, Block); Wells - 6 (Keller, Congleton, Babb, Calloway, Cates, Block). The Clerk announced the appointment of Mary Margaret Dixon and Barri Wells to the Historic Properties Commission.

The City Clerk reported a letter of resignation from the Historic Properties and Historic Districts Commission has been received from William H. Bingham, Jr. No nominations have been made. The Clerk indicated it would be appropriate to fill the position on the Historic Properties Commission and then make a selection for the Historic Districts Commission. No nominations were made.

TELECOMMUNICATIONS COMMISSION - APPOINTMENTS MADE

The City Clerk reported the Chairman position of the Telecommunications Commission is vacant and the Council has agreed to hold appointment until a report is received from the City Manager.

The following terms on the Commission expired January 10, 1985: John Kinney, Jr., Allan R. Blatecky, Wayne Hurder, Ron McCrimmon, Kenneth Durham and Dr. Donell Lewis. All have been nominated for reappointment and also nominated for appointment is Miriam Dorsey and Bert H. Garcia, Jr. Nominations have not been closed. There being no further nominations, nominations were closed and a ballot vote taken with results as follows: Miriam Dorsey - 4 (Cates, Block, Calloway, Babb); John Kinney - 4 (Walters, Upchurch, Babb, Keller); Ken Durham - 7 (Walters, Cates, Block, Upchurch, Congleton, Calloway, Keller); McCrimmon - 8 (all Council Members); Donell Lewis - 6 (Walters, Upchurch, Congleton, Calloway, Babb, Keller); Hurder - 8 (all Council Members); Blatecky - 7 (Walters, Cates, Block, Upchurch, Congleton, Babb, Keller); Garcia - 3 (Cates, Block, Calloway). The Clerk announced the reappointments of Ken Durham, Ron McCrimmon, Donell Lewis, Wayne Hurder and Allan Blatecky.

A second ballot vote was taken with results as follows: Dorsey - 2 (Calloway, Block); Kinney - 5 (Upchurch, Walters, Congleton, Keller, Babb); Garcia - 1 (Cates). The Clerk announced the reappointment of John Kinney to the Telecommunications Commission.

APPEARANCE COMMISSION - OLLIE ADAMS APPOINTED

The City Clerk reported the term of Betsy Ann Bradshaw expires February 17. Nominations include Ollie Adams and Kitty Beck. Nominations have not been closed. There being no further nominations, Mr. Congleton moved that nominations be closed. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

A ballot vote resulted as follows: Adams - 6 (Block, Walters, Calloway, Keller, Babb, Cates); Beck - 2 (Congleton, Upchurch). The Clerk announced the appointment of Ollie Adams to the Appearance Commission.

HOUSING APPEALS BOARD

The term of Perry Safran expired February 3. He has been nominated for reappointment by Mayor Upchurch. Nominations have not been closed. There being no further nominations, Ms. Cates moved that nominations to the Housing Appeals Board be closed and Mr. Safran reappointed by acclamation. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY BOARD - NOMINATION MADE

The Clerk reported the term of Frank Brooks expired February 1 and the term of Grover Bland expires February 6. Both are eligible for reappointment and have good attendance records. Ann McGee has been nominated. Ms. Cates nominated Nancy Paar.

FIREMEN'S RELIEF FUND - BOARD OF TRUSTEES - NOMINATIONS MADE

The City Clerk reported the term of R. E. Keith expired February 3, 1985, and he has been nominated for reappointment by Ms. Block. Ms. Block pointed out since she nominated Mr. Keith, she has looked at the Statute establishing the Board and, therefore, she would like to withdraw Mr. Keith's name and nominate Tom Kuster. Discussion took place, after which Mr. Walters nominated Mr. Keith. Discussion took place on the Statutes setting up the Firemen's Relief Fund and how the appointments are made. Ms. Babb indicated she remembered when this term came up before, it was right about the time Mr. Kuster came to Raleigh. She indicated the City Council went ahead and appointed Mr. Keith because of the high esteem held for Mr. Keith and that Kuster was new to Raleigh and new to the Fire Department. She stated in her opinion, it would be appropriate for the present Chief to be a member of the Fireman's Relief Fund Board of Trustees. Later in the meeting, Mr. Walters indicated he had learned that Mr. Keith lives out of town, therefore, he would withdraw his name from nomination. No further action was taken.

ARTS COMMISSION - DENISE HARPER REAPPOINTED

The City Clerk reported the term of Denise Parks Harper expires March 15. Nominations include Ms. Harper and Katie McCoy. Nominations have not been closed. There being no further nominations, a ballot vote was taken with results as follows: Harper - 5 (Keller, Upchurch, Block, Cates, Walters); McCoy - 3 (Calloway, Babb, Congleton). The Clerk announced the reappointment of Denise Parks Harper to the Arts Commission.

ELECTRICAL EXAMINING BOARD - REAPPOINTMENTS MADE

The Clerk reported the terms of Contractor Representatives R. E. Wimbley and Mickey Stout expire March 15. Both have been nominated for reappointment and nominations have not been closed. There being no further nominations, Mr. Calloway moved that nominations be closed and the two nominees appointed by acclamation. His motion was seconded by Ms. Cates and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

FAIR HOUSING HEARING BOARD - NOMINATIONS MADE

The Clerk reported the terms of Francis Roberts and James Colson expire March 17. Mr. Colson has indicated he does not wish to be reappointed. Nominations include Mr. Roberts and Sonya Barnes. Ms. Cates nominated Dorothy Allen.

ECONOMIC DEVELOPMENT ROUND TABLE - APPOINTMENTS MADE

It was pointed out during the last meeting, it was reported that Ron Stamey, Southern Bell, has resigned from the Economic Development Round Table as he has moved out of the City. There was an indication that maybe Mr. Stamey's replacement at Southern Bell should be appointed, however, no action was taken. The City Clerk pointed out it would be appropriate for the Council to appoint a replacement but it is not necessary as there is no set number of persons on this Committee. Mayor Upchurch indicated in error, he had written to Mr. Scoggins, Ron Stamey's replacement at Southern Bell, and asked him to be on the Economic Development Round Table and Mr. Scoggins has accepted. Ms. Babb indicated she feels it is fine to have the continuity and have a replacement from Southern Bell, therefore, she feels that his appointment should be confirmed. Ms. Block agreed but pointed out in addition, she would like to nominate Lauren Brist explaining she is a top administrator at N.C.S.U. and she would be valuable on the Economic Development Round Table with Ms. Babb agreeing. Ms. Block moved that Ms. Brist and Mr. Scoggins be confirmed as members on the Economic Development Round Table. Her motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE TELECOMMUNICATIONS COMMISSION

CABLEVISION OF RALEIGH - FINE OF $7,000 - LEVIED

Karen Garr, Acting Chair, indicated in keeping with the requirements of the Franchise Agreement, the Raleigh Telecommunications Commission provided a formal hearing for Cablevision of Raleigh to respond to the City Administration's recommendation that the company be fined $500 a day from December 22 through January 14 for failure to complete construction and activation of Cable Zone 3 by the December 21 deadline provided for in the agreement. She indicated the report of the City Cable Administrator's Office recommended a 24 day fine period based on its investigations and its determination that full service to the zone was not available until January 14. Cablevision sought relief from the suggested fine period based on various circumstances and conditions the company felt should be taken into consideration as reasons for some of the delay. The Commission, by a vote of 9-4 with 2 not voting, concluded that the period of the fine should be 14 days since incomplete work from January 5 through January 14 seemed to be based on extenuating circumstances. The Commission, therefore, recommends that the City Council set a fine of $500 per day for a 14 day period or a total fine of $7,000 for Cablevision's failure to complete Zone 3 in a timely manner.

In response to questioning, Ms. Garr indicated the extremely cold weather was a part of the extenuating circumstances plus the fact that only one small section was not activated and part of that related to lines and Cablevision's desire to continue service to premium persons in that area. Mr. Congleton questioned if Cablevision of Raleigh did not take into account the possibility of cold weather with Ms. Garr indicating most of Zone 3 was activated by the earlier date. Paul Proctor, of the Cable Communications Office, indicated there was a definitional issue at stake pointing out Cablevision of Raleigh felt their lines to a number of the areas were active. He indicated there were citizens who would not receive service because of the swing over problems and Cablevision chose to delay the swing over in order for the persons receiving premium service to be allowed to continue. After discussion, Ms. Block moved that the Telecommunication Commission's recommendation be upheld. Her motion was seconded by Ms. Babb. Mr. Walters indicated he would have to vote against this as it seems irrational to him for the City of Raleigh, just because they have the right, to jump on this and fine Cablevision of Raleigh for every technicality. Mr. Keller indicated he was inclined to agree pointing out that actually the subscribers are the ones who will pay for the fine. He indicated basically they had activated the service by the deadline and he feels that fining them may be nit-picking. Ms. Cates indicated she had talked with people on the Commission and staff and it would be no problem for her to recommend upholding the total fine. She stated she also talked to Jim Massengill of CP&L about the number of cut lines CP&L

experiences during a week and compared this to the problems Cablevision has. She indicated she would like for Cablevision of Raleigh to be a part of ULOCO with City Manager Benton indicating as a part of our franchise, they have to be a member. After other discussion with Mr. Calloway pointing out the fact that the recommendation from the Commission was not unanimous, that the City had given Cablevision of Raleigh relief in 1983 and with Mr. Congleton indicating he tends to lean more toward the full fine. The motion as stated was put to a vote with all members voting in the affirmative except Mr. Keller, Mr. Walters and Mr. Calloway. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE

SUBDIVISIONS - PHASE LINES AND SETBACKS - HELD IN COMMITTEE

Ms. Block indicated Council Members did receive in their Agenda packet a proposed ordinance concerning the phasing of cluster units, condominium and townhouse development. She stated, however, since the meeting, some questions have come up that need to be clarified, therefore, she would ask that this item be held in Public Works Committee. Without objection, the item was held in Committee.

STORMWATER MANAGEMENT STUDY - ADMINISTRATION TO NEGOTIATE CONTRACT

Chairperson Block reported the Public Works Committee recommends that Administration be directed to negotiate a contract with Wilbur Smith and Associates for the Marsh Creek - Perry Creek Watersheds Study. On behalf of the Committee, she moved the recommendation be upheld. Her motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TRAFFIC - POLK AND EAST STREETS - REMOVED FROM THE AGENDA WITH DIRECTION THAT POLICE DEPARTMENT STRICTLY ENFORCE TRAFFIC LAWS

Ms. Block reported the Public Works Committee recommends that there be no additional traffic signs installed at this time in this area. It is further recommended that the Oakwood area, with particular emphasis on Polk and East Streets, be added to the inner city neighborhoods receiving strict traffic law enforcement by the Police Department. On behalf of the Committee, she moved the recommendation be upheld. Her motion was seconded by Mr. Calloway. Ms. Block pointed out she had been notified that the Oakwood Association will be conducting an Oakwood-wide survey that they will bring to the Council and she informed them that this could be considered at that time. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

SUBDIVISION - WILLOW CREEK PHASE II - NO ACTION TAKEN

Ms. Block reported the Public Works Committee recommends that this item be reported out of the Committee with no action. The Committee felt the conditions originally placed on these lots requiring final approval from the Wake County Health Department for the use of individual septic systems prior to recording these lots are correct. On behalf of the Committee, Ms. Block moved the recommendation be upheld. Her motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

LEA FUNERAL HOME - PAVING OF PARKING LOT - HELD IN COMMITTEE

Ms. Block indicated she would like to hold this in Committee until the next meeting as Lea Funeral Home hasn't been able to provide the bond as suggested by the Public Works Committee. She stated if this could be held in Committee, she feels that the Council could vote at the next meeting but pointed out this would necessitate a two week extension on their temporary CO. Mr. Walters questioned if the delay is not in the City Attorney's Office with City Attorney McCormick indicating it definitely is not in the office as they have had no contact from Lea Funeral Home. Mr. Benton indicated he would hope that the motion would not include a two weeks extension of a Certificate of Occupancy as that is the responsibility of the Code Enforcement Office. Ms. Block indicated the Committee is merely holding this for two weeks.

REPORT AND RECOMMENDATION OF THE
INTERGOVERNMENTAL LIAISON COMMITTEE

ANNEXATION PROGRAM - RESOLUTION OF INTENT ADOPTED FOR SEVERAL AREAS - PUBLIC HEARING SET

Chairman Calloway indicated the Intergovernmental Liaison Committee recommends adoption of a resolution of intent for the annexation of the following areas:

(1) Lake Lynn Residential
(2) Village-on-the-Green
(3) Crown Oaks, Summerfield North, Weathersfield
(4) The Landings at North Ridge
(5) River Birch Township
(6) Summerset, North Market Square
(7) North Boulevard Commercial
(8) Tryon Road Industrial and State Complex
(9) Farm Fresh Commercial

Council Members received a memo in their Agenda packets further describing these areas.

The Committee also recommends that the public hearings on these areas be held on two separate dates - April 16, 1985, for residential areas and on April 18, 1985 following the Work Session, for non-residential areas.

On behalf of the Committee, Mr. Calloway moved the recommendation be upheld. His motion was seconded by Mr. Keller. Discussion took place relating to State Complex and the services that will be provided by the City of Raleigh to this area and the City does not receive any taxes to help pay for it from the State. The things the State does for the City and the roads built by the State in this area was pointed out by Mr. Walters with Ms. Block indicating she was not downgrading the State, she just wanted to point out that the City of Raleigh does provide a lot of service to the State. The motion as stated was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1985) 702

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

LAKE LYNN RESIDENTIAL

BEGINNING at a point in the existing Raleigh City Limits, (January 1, 1985), said point also being in the northern right-of-way of Lynn Road and the western line of Brittany Woods Subdivision as shown on a map recorded in Book of Maps 1983, Page 765, Sheet 2 of 2; thence with the western and northern boundaries of Brittany Woods as shown on said recorded map and a map recorded in Book of Maps 1983, Page 765, Sheet 1 of 2, the following courses and distances: North 07° 11' 25" East 803.49 feet ±, North 07° 38' 44" East 1,100.26 feet ± to the northwestern corner of said subdivision; thence continuing with the boundaries of Brittany Woods as shown on said recorded maps the following courses and distances: South 82° 44' 47" East 522.52 feet ±, South 66° 04' 04" East 132.77 feet ±, North 45° 00' 46" East 122.93 feet ± to a point in the western right-of-way of Leesville Road (S.R. 1822), said right-of-way also being a boundary in Brittany Woods Subdivision as shown on said recorded maps; thence southeasterly with the western right-of-way of Leesville Road 445 feet ± to a point in the Brittany Woods boundary; thence continuing with the boundary of Brittany Woods as shown on said recorded maps the following courses and distances: South 73° 59' 57" West 347 feet ±, South 27° 03' 55" East 539.84 feet ±, South 22° 04' 50" East 38.18 feet ±, to a point in the eastern boundary of Brittany Woods Subdivision; thence the eastern boundary of Pickwick Village Subdivision, Section 4, Map 2 as recorded in Book of Maps 1979, Page 749 at the Wake County Registry and Pickwick Village Section 4, Map 3, recorded in Book of Maps 1979, Page 749 at the Wake County Registry the following courses and distances: South 22° 03' 55" East 83.43 feet ±, South 07° 52' 21" East 394.53 feet ±, North 77° 00' 51" East 750 feet ± to a point in the eastern right-of-way of Leesville Road (S.R. 1822); thence southeasterly with said right-of-way 80 feet ± to a point in the western line of Harbor Point Subdivision as shown on a map recorded in Book of Maps 1984, Page 594 of the Wake County Registry; thence with the western line of said subdivision North 00° 35' 37" West 240.47 feet ± to the northwestern corner of said subdivision; thence with the northern line of Harbor Point extended south 89° 55' 30" East 1,525 feet ± to a point in the 335 NGVD contour on the eastern shore of Lake Lynn, said contour being the western boundary of Barton's Landing Subdivision as shown on a map of Barton's Landing Phase 2 recorded in Book of Maps 1984, Page 1327 of the Wake County Registry; thence with the western boundary of Barton's Landing the following courses and distances: North 41° 55' 33" West 51.13 feet ±, North 27° 16' 19" West 83.08 feet ±, North 14° 51' 34" West 43.13 feet ±, North 01° 18' 14" East 73.91 feet ±, North 11° 05' 54" East 57.25 feet ±, North 18° 00' 52" East 44.90 feet ±, North 34° 01' 17" East 52.06 feet ±, North 47° 49' 14" East 42.05 feet ± to a point of intersection with the southern property line of the Woodlake Subdivision, said point also in said existing City Limits; thence following said existing City Limits and the southern boundary of Woodlake Subdivision as shown on a map of the annexation of Woodlake Subdivision as recorded in Wake County Book of Maps 1984, Page 1728, the following courses and distances: South 89° 09' 44" East 413.26 feet ±, South 89° 05' 13" East 274.26 feet ±, South 89° 08' 53" East 299.51 feet ±, South 87° 31' 17" East 549.38 feet ±, North 02° 23' 34" East 139.30 feet ±, North 02° 26' 54" East 399.33 feet ±, South 89° 43' 43" East 453.92 feet ± to a point in the western right-of-way line of Ray Road (S.R. 1826), said point also being said existing City Limits; thence following the western right-of-way of Ray Road southerly and westerly 5,050 feet ± to the intersection of said right-of-way and the northeastern right-of-way of Leesville Road

(S.R. 1822); thence northerly along said northeastern right-of-way of Leesville Road 173 feet ± to its intersection with the centerline of Hare Snipe Creek; thence southerly along the centerline of Hare Snipe Creek 700 feet ± to the boundary of Tract 2 as shown on Wake County Book of Maps 1973, Volume 2, Page 222; thence northwesterly 420.13 feet ± along the boundary of said Tract 2 to a point; thence southwesterly 75 feet ± along the boundary of said Tract 2 to a point in the boundary of Pickwick Village, Map 2, as recorded in Wake County Book of Maps 1972, Volume 3, Page 335; thence northerly along the boundary of said Pickwick Village, Map 2, 314.73 feet ± to a point in the boundary of Pickwick Village, Section 2 of Map 1, Wake County Book of Maps 1973, Volume 4, Page 494; thence northwesterly along said boundary of Pickwick Village, Section 2, Map 1 across a lot marked "reserved" as shown on said Pickwick Village Subdivision, Section 2, Map 1, 60 feet ± to a point; thence northwesterly along said boundary of Pickwick Village, Section 2, Map 1, 1,034.41 feet ± to a point in the eastern property line of Lot 28 as shown on a map entitled, "Recombination of Lots 31, 32, Subdivided Lots 28, 29," Wake County Book of Maps 1979, Page 139; thence northerly along the eastern property line of said lot 28 228.58 feet ± to the intersection of said property line and the northern property line of Lot 210 Wake County Tax Map 349 as shown on a map entitled, "Recombination of Lots 31, 32, Subdivided Lots 28, 29," Wake County Book of Maps 1979, Page 139; thence easterly along the northern property line extended of said Lot 210, 496.05 feet ± to a point; thence northwesterly along the northern property line of said Lot 210, 46.29 feet ± to a point in said boundary of Pickwick Village Subdivision, Section 2, Map 1; thence westerly along the boundary of said Pickwick Village Subdivision, Section 2, Map 1, 70 feet ± to the intersection of said boundary line and the boundary of Pickwick Village Subdivision Section 2, Map 2 as recorded in Wake County Book of Maps 1976, Volume 4, Page 448; thence northwesterly 156.24 feet ± along the boundary of Pickwick Village Subdivision, Section 2, Map 2, to its intersection with the eastern right-of-way of Glendower Road; thence northeasterly 93.78 feet ± with the east right-of-way of Glendower Road along the boundary of Pickwick Village Subdivision, Section 2, Map 2 to a point; thence northwesterly 231 feet ± along the boundary of Pickwick Village, Section 2, Map 2 to a point in the southeastern corner of Brittany Woods, Section 1 as shown on a map recorded in Wake County Book of Maps 1983, Page 765, Sheet 2 of 2; thence with the boundaries of said subdivision the following courses and distances: North 19° 19' 23" East 339.42 feet ± to a point in the northern right-of-way of Lynn Road; thence westerly with the northern right-of-way of Lynn Road 547.89 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 1:00 o'clock p.m., on April 16, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 703

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

VILLAGE-ON-THE-GREEN

BEGINNING at a point in the existing Raleigh City Limits, (January 1, 1985), said point also being in the centerline of Lynn Road (S.R. 1829) and the eastern boundary extended of Magnolia Run Subdivision as shown on a map recorded in Book of Maps 1983, Page 1558 of the Wake County Registry; thence with said existing City Limits and the eastern boundary extended of Magnolia Run Subdivision according to said recorded map, North 09° 33' 12" East 1142.50 feet ± to the northeast corner of said subdivision, said point also being the northwestern corner of Village-on-the-Green Subdivision; thence with the northern boundary of Village-on-the-Green Subdivision as shown on the maps of Section 1 and 2 of said subdivision and recorded in the Wake County Registry in Book of Maps 1982, Page 320 and Book of Maps 1981, Page 1045 respectively South 88° 41' 55" East, 1273 feet ± to the northeastern corner of Village-on-the-Green Subdivision; thence with the eastern boundary of Section 2 of Village-on-the-Green Subdivision the following courses and distances: South 03° 17' 31" East 187.73 feet

± to a point, South 08° 47' 16" East 225.58 feet ± to the southeastern corner of said Section 2 of Village-on-the-Green Subdivision, said point also being shown on a map entitled "Annexation Map for Key Realty and Lumpkin Property in North Raleigh" drawn by the City of Raleigh, Department of Central Engineering and filed in that office in File Number M-219 the following courses and distances: South 28° 14' 41" East 153.13 feet ±, South 12° 14' 41" East 136.75 feet ±, South 02° 11' 41" East, 148.63 feet ±, North 70° 47' 19" East 129.29 feet ±, South 80° 27' 19" East 218.38 feet ±, South 07° 29' 59" West 164.40 feet ±, South 08° 29' 41" East 128.15 feet ±, South 64° 00' 18" West 123.60 feet ±, South 09° 30' 42" East 104.91 feet ±, South 43° 05' 18" West 84.70 feet ±, South 13° 25' 42" East 269.70 feet ±, South 07° 54' 42" East 110.65 feet ±, South 65° 11' 42" East 100.37 feet ±, South 15° 32' 42" East 82.45 feet ±, South 46° 54' 42" East 75.09 feet ±, North 75° 22' 12" West 1,320.30 feet ±, to a point in Lynn Road; thence following Lynn Road and said map North 60° 43' 42" West 396.62 feet ±; thence leaving Lynn Road as shown on said annexation map the following courses and distances: South 05° 18' 18" West 345.12 feet ±, North 58° 59' 42" West 349.87 feet ±; North 24° 39' 18" East 309.84 feet ±, to the centerline of Lynn Road, thence along Lynn Road North 59° 44' 42" West 180 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 1:00 o'clock p.m., on April 16, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 704

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

CROWN OAKS, SUMMERFIELD NORTH, WEATHERSFIELD

Beginning at a point in the existing City Limits (January 1, 1985), said point also being in the northern right-of-way of Sawmill Road at its intersection with the western right-of-way of Six Forks Road (S.R. 1005); thence leaving said City Limits northerly with the western right-of-way of Six Forks Road 3,800 feet ± to its intersection with the northern line extended of Dartmoor Subdivision; thence with the northern line extended of Dartmoor Subdivision as shown on a map recorded in Book of Maps 1983, Page 1157, at the Wake County Registry, the following courses and distances: North 76° 20' 57" East 415 feet ±, South 50° 01' 18" East 60 feet ±, South 06° 59' 24" West 110 feet ±, South 40° 51' 12" East 237 feet ±, South 52° 08' East 570.10 feet ± to the easternmost corner of Lot 18 in said Dartmoor Subdivision, said point also being found in the western property line of proposed Section 5, Phase II, of the Summerfield North Cluster Unit Development as found on Book of Maps 1984, Page 610, Sheet 2 of 2, of the Wake County Registry; thence with said western line of said Summerfield North Cluster Unit Development North 05° 18' 21" East 454 feet ± to the northwest corner of said Section 5, Phase II; thence with the northern line of Section 5, Phase II and Phase I, of the Summerfield North Cluster Unit Development as shown on said recorded map South 87° 11' 20" East 1,525.15 feet ± to a common corner with the western line of the Summerfield North Cluster Unit Development, Wycombe Manor, Phase I; thence with that western line extended of Wycombe Manor, Phase I, as recorded in Book of Maps 1984, Page 610, Sheet 1 of 2, at the Wake County Registry, North 02° 19' 21" East 1,050 feet ± across Strickland Road (S.R. 1829) to a point in the northern right-of-way of Strickland Road; thence easterly with the northern right-of-way of Strickland Road 4,000 feet ± to its intersection with a line located 30 feet easterly of and normal to Survey Station 37+50, Survey Line Y-19 for State Highway Project No. 9.5052005, as shown on Plan and Profile of Proposed State Highway, Wake County Location - Falls of Neuse Road, S.R. 2000, from Quail Ridge Road to Strickland Road, North Carolina Department of Transportation, Preliminary Plans, said point being in said existing City Limits; thence southwesterly along a line normal to said Survey Station 37+50, 60 feet ± to its intersection with the southwestern right-of-way of Strickland Road; thence with the southwestern right-of-way of Strickland Road, the western right-of-way of Falls of Neuse Road and said existing City Limits 4,400 feet ± to its intersection with a line 200 feet northerly of and normal

to the northern right-of-way of Newton Road (S.R. 2016); thence westerly with the line 200 feet northerly of and normal to the northern right-of-way of Newton Road and said existing City Limits 3,730 feet± to its intersection with the northeastern property line of Parcel 516, Wake County Tax Map 324; thence with the northeastern property line of said Parcel 516 northwesterly 2,250 feet ± to the northern corner of said Parcel 516; thence southwesterly following the centerline of Lick Branch, a tributary of Lead Mine Creek, said tributary also being the property line between Parcels 23 and 516, Wake County Tax Map 324, 1,120 feet to a common corner with Parcels 27 and 516, Wake County Tax Map 324; thence northwesterly with the southern property line of parcel 23, Wake County Tax Map 324, 201.12 feet ± to a corner of said Parcel 23; thence southwesterly with the southern property line of said Parcel 23 1,207.78 feet ± to the southwest corner of said Parcel 23; thence northerly with the eastern right-of-way of Six Forks Road 635 feet ± to its point of intersection with the northern right-of-way line extended of Sawmill Road; thence westerly with the northern right-of-way extended of Sawmill Road 75 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 1:00 o'clock p.m., on April 16, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 705

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

THE LANDINGS AT NORTH RIDGE

Beginning at a point in the existing Raleigh City Limits (January 1, 1985), said point also being the northeast corner of The Landings at North Ridge as drawn on a map by Bass, Nixon and Kennedy, Incorporated, and recorded in Map Book 1981, Page 1057, in the Wake County Registry, and the western right-of-way of Litchford Road (S.R. 2012); thence leaving said City Limits with the western right-of-way of Litchford Road the following courses and distances according to said recorded map: South 21° 45' 07" East 118.34 feet ±, South 18° 17' 43" East 97.63 feet ±, South 15° 42' 23" East 98.43 feet ±, South 14° 18' 25" East 98.91 feet ±, South 12° 55' 38" East 47.51 feet ±, to a southeastern corner of The Landings at North Ridge; thence with the boundary of The Landings at North Ridge (B.M. 1981, Page, 1057) the following courses and distances: North 77° 54' 40" West 167.60 feet ±, South 84° 05' 58" West 282.63 feet ±, North 54° 47' 56" West 212.87 feet ± to a corner of The Landings at North Ridge, said corner also found on a map recorded in Book of Maps 1984, Page 1902, in the Wake County Registry; thence continuing with the boundary of said subdivision as shown on said recorded map: South 03° 20' 56" West 635.50 feet ± to a corner on Weybridge Drive, said corner also shown on a map of The Landings at North Ridge, recorded in Book of Maps 1983, Page 1426, Wake County Registry; thence following the boundary of The Landings at North Ridge according to said recorded map South 03° 05' 54" West 285.50 feet ± to a southeastern corner of The Landings at North Ridge thence with the southern boundary of the Landings at North Ridge according to said recorded map the following courses and distances: North 88° 10' 47" West 94.28 feet ±, North 88° 07' 28" West 116.15 feet ±, North 88° 09' 25" West 158.22 feet ±, North 88° 11' 14" West 196.04 feet ±, North 88° 05' 52" West 203.23 feet ± to the southwestern corner of The Landings at North Ridge, said point also being in said existing Raleigh City Limits and shown as the northwestern corner of Litchford Forest Subdivision on the Annexation Map of Carolina Communities, drawn by the City of Raleigh Department of Central Engineering and on file in Annexation File No. 130 at the Raleigh City Planning Department; thence with the western boundary of The Landings at North Ridge and said existing City Limits North 04° 55' East 948.72 feet ± to a point in the southern line of North Ridge Subdivision, said point also being in said existing City Limits and shown on a map of the Raleigh City Limits entitled, "North Ridge Annexation Schedule Map," North Ridge, Incorporated, Developers, Raleigh, North Carolina, and drawn by John A. Edwards and Company, Engineering, on

file at the Raleigh City Planning Department in Annexation File No. 117; thence following said southern line of North Ridge Subdivision and said existing City Limits, South 86° 10' East 1,228.13 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 1:00 o'clock p.m., on April 16, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 706

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

RIVERBIRCH TOWNHOUSES

Beginning at a point in the existing Raleigh City limits (January 1, 1985), said point also being in the easternmost corner of the property of River Birch Associates as shown on a survey map by Al Prince and Associates, PA and recorded in Map Book 1980, Page 1066 at the Wake County Registry and in the western right-of-way of existing Wake Forest Road (S.R. 2030); thence leaving said existing City limits with said western right-of-way South 37° 48' 22" West 800 feet ± to its point of intersection with the center line of Marsh Creek; thence westerly and northerly with the center line of Marsh Creek 1200 feet ± to a point in said existing City Limits, a corner of the Didawick Property according to an Annexation Map of the Property of Quail Corners Inc., drawn by the City of Raleigh Department of Central Engineering and on file in the Raleigh Planning Department in Annexation File Number 111; thence with the center line of Marsh Creek, northerly 454.98 feet ± to a point in the Beddingfield Property according to said annexation map; thence South 30° 18', East 81.64 feet ± to a point, said point also shown on a map recorded in Map Book 1979, Page 956 in the Wake County Registry; thence North 42° 18' 20" East 85.56 feet ± to a point in the southern property line of Forest Oaks Apartments as shown on said recorded map ; thence with the southern line of Forest Oaks Apartments, according to said recorded map the following courses and distances: South 85° 50' 15" East 532.31 feet ±, South 04° 09' 45" East 20.0 feet ±, South 85° 50' 15" East 530.0 feet ±, North 79° 28' 10" East 86.07 feet ± to a point; thence according to the map recorded in Map Book 1980, Page 1066 of the Wake County Registry South 50° 16' 34" East 398 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 1:00 o'clock p.m., on April 16, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 707

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

SOMERSET, NORTH MARKET SQUARE

Beginning at a point in the existing (January 1, 1985) Raleigh City Limits, said point also being on the northern line of the property of M. F. Cox (now or formerly) and the eastern right-of-way of Falls of Neuse Road (S.R. 2000); thence southerly with the eastern right-of-way of Falls of Neuse Road 1,850 feet ± to its intersection with the northern property line of property now or formerly owned by Hunter according to a deed recorded at the Wake County Registry in Book 1774, Page 444, and also shown as Tract B on a map recorded in Book of Maps 1935, Page 33, of the Wake County Registry; thence with the northern line extended of the Hunter Property South 77° 04' East 1,250 feet ± to its intersection with the eastern right-of-way of Wake Forest Road (S.R. 2030); thence southwesterly with said eastern right-of-way 350 feet ± to its point of intersection with the northwest corner of North Market Square Subdivision as shown on a map recorded in Book of Maps 1983, Page 513; thence with the northern line of North Market Square according to said recorded map South 35° 23' East 495.92 feet ± to the northeast corner of North Market Square, said point also being the northernmost corner of North Plaza Industrial Park as shown on a map recorded in Wake County Book of Maps 1983, Page 1018; thence following the boundaries of North Plaza Industrial Park as found on said recorded map the following courses and distances: South 35° 23' 11" East 1,530.35 feet ±, North 77° 55' 25" West 1,040.97 feet ±, North 37° 34' 42" East 162.43 feet ±, North 35° 25' 15" West 553.79 feet ± to a corner of the North Plaza Industrial Park, said corner also being in the eastern line of the North Market Square Subdivision as shown on a map recorded in Book of Maps 1983, Page 803; thence with the eastern and southern lines of North Market Square and property of Etheridge Associates as found on said recorded map the following courses and distances: South 38° 11' 43" West 115.55 feet ±, North 53° 34' 44" West 386.07 feet ± to a point in the eastern right-of-way of Old Wake Forest Road (S.R. 2030), said point also being in said existing City Limits; thence northerly with the eastern right-of-way of Old Wake Forest Road 550 feet ± to the southern line extended of property now or formerly owned by Hunter according to a deed recorded at the Wake County Registry in Book 1774, Page 444; thence along the southern line extended of the Hunter property North 72° 49' 53" West 406.39 feet ± to the southwestern corner of the Hunter property, said point also being in the eastern right-of-way of Falls of Neuse Road; thence northwesterly across Falls of Neuse Road 125 feet ± to the northeastern corner of Lot 2 of North Plaza (commercial subdivision) as shown on a map recorded in Book of Maps 1980, Page 64, of the Wake County Registry; thence with the northern boundaries of said Lot 2 the following courses and distances: North 72° 49' 53" West 42.81 feet ±, South 62° 40' 57" West 77.46 feet ±, southwesterly on a 1,081.70 foot radius curve to the right 161.26 feet ±, South 71° 13' 27" West 167.95 feet ±, southwesterly on a 290.36 foot radius curve to the left 61.77 feet ±, North 85° 42' 23" West 92.63 feet ± to the northwest corner of Lot 2 of North Plaza as shown on said recorded map, said point also being in the eastern right-of-way of Bland Road; thence northerly with said eastern right-of-way of Bland Road and a former (as annexed 9/3/68) eastern right-of-way line of Falls of Neuse Road, said line being 30 feet ± east of and parallel to the centerline of Falls of Neuse Road 2,730 feet to its intersection with the northern line extended of the M. F. Cox property (now or formerly); thence easterly with the northern property line extended of said Cox property 15 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 11:00 o'clock a.m., on April 18, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 708

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

NORTH BOULEVARD COMMERCIAL

Beginning at a point in the existing Raleigh City Limits (January 1, 1985), said point also being in the northwest corner of Lot 39 of Section 2, Part 2, of North Boulevard Industrial Park as shown on a map recorded in Book of Maps 1975, Page 343; thence with the boundaries of Lot 39 and 40 of said subdivision according to said recorded map the following courses and distances: North 89° 32' 30" East 276.72 feet, North 01° 35' 00" East 306.12 feet ±, North 02° 00' 45" East 143.01 feet ± to the northwest corner of Lot 40 as shown on said recorded map, said point also being the southwestern corner of the Raymond F. Shearin and Wife, Janie Green Shearin Property as referenced in a deed found on Page 129, Book 1256 of the Wake County Registry; thence along the western line of said Shearin and Wife Property North 08° 26' East 467 feet to a stake in the southwest corner of lands of R. F. Shearin as referenced in a deed found on Page 352, Book 1010, at the Wake County Registry; thence along the western line extended of said Shearin Property North 18° 40' West 474 feet ± across S.R. 2039 to a point in the southwestern corner of the Leith Property as shown on a map recorded in Book of Maps 1974, Page 434; thence along the western boundary of said Leith Property North 18° 40' 15" West 1,228.56 feet ± to the westernmost corner of said Leith Property; thence the following courses and distances with the northern line of said Leith Property according to said recorded map: North 48° 13' 45" East 501.88 feet ±, South 41° 46' 15" East 79.54 feet ±, South 00° 43' 30" East 280.34 feet ±; easterly along a 297.4-foot radius curve to the left 145.00 feet, North 89° 16' 30" East 260 feet to a point in the western right-of-way of U.S. Highway No. 1; thence with the extension of said northern line of the Leith Property North 89° 16' 30" East 201 feet ± to the eastern right-of-way of U.S. Highway No. 1; thence southerly along the eastern right-of-way of U.S. Highway No. 1 1,550 feet to the northwest corner of Property of W. V. Green, North Tract, as recorded in Book of Maps 1972, Page 459, of the Wake County Registry; thence according to said recorded map and with the northern boundaries of W. V. Green Tract 2, Tract 3 and Tract 4 the following courses and distances: South 89° 16' 15" East 2,937.24 feet ±, South 00° 16' East 1,012.62 feet ±, South 80° 35' West 711.18 feet ±, South 09° 25' East 391.95 feet ± to a point in the northern right-of-way of Spring Forest Road, said point also being in said existing City Limits; thence westerly with said northern right-of-way of Spring Forest Road 1,800 feet ± to the southeastern corner of Parcel 25 as shown on a map recorded in Book of Maps 1980, Page 112; thence with the eastern lines of Parcel 25 and Parcel 26 as shown on said recorded map North 05° 16' 37" West 390.06 feet ± to the northeastern corner of said Parcel 26; thence with the northern line of said Parcel 26 as shown on said recorded map South 84° 43' 23" West 200.00 feet ± to a point on the western right-of-way of U.S. Highway No. 1, said point further identified as having North Carolina grid coordinates Y = 766,795.90 and X = 2,124,115.79 and also being the northwestern corner of Parcel 26; thence westerly across U.S. Highway No. 1 a distance of 203 feet ± to the southeastern corner of Parcel 39 as shown on a map recorded in Book of Maps 1975, Page 343, of the Wake County Registry, said point further identified on the map recorded in Book of Maps 1980, Page 112, as having North Carolina grid coordinates Y = 766,755.15 and X = .2,123,920.03; thence with the boundaries of Parcel 39 as shown on said recorded map (Book of Maps 1975, Page 343) the following courses and distances: North 88° 50' 00" West 760.63 feet ±, North 01° 10' East 488.17 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 11:00 o'clock a.m., on April 18, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 709

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

TRYON ROAD INDUSTRIAL (EAST) AND STATE COMPLEX

Beginning at a point in the existing (January 1, 1985) Raleigh City Limits, said point also being the intersection of extension the eastern right-of-way of Garner Road (SR 1004) and the extension of a line 200 feet south of and parallel to Pineview Street in East Parkland Subdivision according to the metes and bounds annexation description as found in City of Raleigh Ordinance 1960-868; thence southerly with the eastern right-of-way of Garner Road, 3,800 feet ± to its intersection with dividing line between Lots 2 and 3, Block F of Cloverdale Subdivision, Section 1, said point also being in the existing (January 1, 1985) Garner Town Limits, as described in the Town of Garner Ordinance 1975-1404 and shown on an annexation map of Garner, entitled "Cloverdale and Other Areas", Saint Mary's Township, Wake County North Carolina, dated April 26, 1975, by Sam Powell, registered surveyor; thence with said annexation description and referenced map, the following courses and distances: South 63° 46' West 60 feet ±, South 26° 14' East 56.4 feet ±, South 82° 00' West 115.0 feet ±, South 20° 11' East 50.0 feet ±, South 82° 00' West 95.0 feet ±, South 00° 09' West 360.0 feet ±, North 82° 48' West 599.49 feet ±, to a point in the western right-of-way of the Southern Railway; thence northwesterly with said western right-of-way of the Southern Railway 1,200 feet ± to its intersection with the southern right-of-way of the Tryon Road extension, said point shown as a right-of-way marker at Station 57+27, 45 feet from the center line (survey line Y-4) as shown on the NCDOT "Plan and Profile Proposed State Highway, Tryon Road Extension" State Project Reference Number 8.2432803; thence westerly with said right-of-way 2,677 feet ± to the right-of-way marker at Station 30+50, (survey line Y-4) as shown on said plans; thence southwesterly with the site distance right-of-way of said project 100 feet ± to a right-of-way marker at Station 30+04.41 (survey line Y-4), as shown on said plans; thence southerly 10 feet ± to a point on the said right-of-way; thence westerly with said right-of-way across the future extension of Hammond Road 122 feet ±; thence northerly with said right-of-way 10 feet ± to a right-of-way marker at Station 28+83.10 (survey line Y-4) as shown on said plans; thence northwesterly with another site distance right-of-way of said project 128 feet ± to a right-of-way marker at Station 28+00 (survey line Y-4) as shown on said plans; thence westerly with said right-of-way 1,441 feet ± to a right-of-way marker at Station 13+58.64 (survey line Y-4) as shown on said plans; thence continuing westerly with a line 45 feet from and parallel to (survey line Y-4) as shown on said plan, 285 feet ± to its point of intersection with the eastern property line extended of the Elvis N. Pollard property; thence southerly with said eastern line 20 feet ± to a point in said existing Raleigh City Limits; thence 9,593.63 feet ± with said existing City Limits as described in the following annexation ordinances as filed in the Raleigh City Clerk's Office: US 70 East - 401 South (1981-721), Rush Street (1977-575), Carolina Pines (1960-868) to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 11:00 o'clock a.m., on April 18, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

RESOLUTION NO. (1985) 710

A RESOLUTION STATING THE INTENT OF THE CITY OF RALEIGH TO CONSIDER ANNEXATION OF THE AREA DESCRIBED HEREIN AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That it is the intent of the City Council of the City of Raleigh to consider annexation of the following described territory pursuant to Part 3, Article 4A of Chapter 160A of the General Statutes of North Carolina:

FARM FRESH

Beginning at a point in the existing Raleigh City Limits (January 1, 1985), said point also being in the northeastern corner of Lot 7 as shown on the map of Raleigh Southern Industrial Park, Lot 9A and Lot 10, as recorded in Book of Maps 1984, Page 251, of the Wake County Registry; thence with the southern and western boundaries of Lot 9A, the following courses and distances: North 84° 02.1' West 411.38 feet ±, North 80° 53.1' West 263.52 feet ±, North 10° 06.4' East 520 feet ±, North 31° 37.3' East 364 feet ± to the northernmost corner of said Lot 9A, said point also shown on a map recorded in Book of Maps 1984, Page 932 of the Wake County Registry; thence across Chapanoke Road North 83° 42' 53" East 103.76 feet ± to a point in the northern right-of-way of Chapanoke Road as shown on said recorded map; thence easterly with said northern right-of-way along a curve to the left an arc distance of 170.76 feet ± to a point; thence with said northern right-of-way South 89° 17' 39" East 176.65 feet ± to a point in said existing City Limits, thence easterly with said northern right-of-way and said existing City Limits 264.65 feet ± to a point; thence following said City Limits South 10° 5.5' West 116.85 feet ± to a point in the northern line of Lot 2, as shown on a map recorded in Book of Maps 1984, Page 251 of the Wake County Registry; thence the following courses and distances with said Lot 9A as shown on said recorded map and said existing City Limits; North 79° 54.5' West 85 feet ±, South 10° 5.5' West 225.00 feet ±, South 79° 54.5' East 75.00 feet ± South 10° 05.5' West 450.00 feet ±, South 64° 58.6' West 62.10 feet ± to the point of Beginning.

Section 2. That a public hearing on the question of annexing the above described territory will be held at the Municipal Building, Room 201, at 11:00 o'clock a.m., on April 18, 1985, at which time plans for extending said territory and all residents of the City of Raleigh, will be given an opportunity to be heard.

Section 3. That a report of plans for extending services to the above described territory be made available for public inspection at the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 4. That a legible map of the area to be annexed and a list of persons holding freehold interests in property in the area to be annexed, who have been identified, be posted in the office of the City Clerk at least thirty days prior to the date of said public hearing.

Section 5. That notice of said public hearing shall be given by publication as required by law.

Adopted: 2/5/85

REPORT AND RECOMMENDATION OF THE
COMMITTEE FOR THE NEW MUNICIPAL BUILDING

MUNICIPAL BUILDING - APPROPRIATION MADE FOR EXTENSION OF BRICK SIDEWALK AND AIR LOCK VESTIBULE - APPROVED

Ms. Block reported the Committee for the New Municipal Building recommends the appropriation of $20,000 for the extension of the brick sidewalk on Hargett Street from the end of the current brick sidewalk to McDowell Street and further recommends the appropriation of $16,200 for the installation of an air lock vestibule in the first floor lobby. On behalf of the Committee, she moved the recommendations be upheld. Her motion was seconded by Mr. Calloway and roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 484 TF 15.

MUNICIPAL BUILDING - INCREASE IN WIDTH OF DRIVEWAY - HELD

Ms. Block indicated the Committee recommended the appropriation of $4,900 in order to increase the width of the driveway for refueling trucks but in view of some information she has received, she would like to hold this in Committee. Without objection, this item was held in Committee.

MUNICIPAL BUILDING PARKING DECK - CHANGE ORDERS - APPROVED - FUNDS APPROPRIATED

Ms. Block indicated Council Members received in their Agenda packet a memo outlining change orders which are recommended for approval by the Committee and are listed as follows:

(1) $6,728 to provide for reimbursement for special brick;

(2) $496 for closing openings adjacent to the ramp to provide additional security at the police level;

(3) $13,894 for completing the enclosure of the bridge connecting the parking deck to the Municipal Building;

(4) $1,056 for the installation of a fence on the top of the 12-foot wall at the mechanical courtyard;

(5) $5,062 for the installation of handrails for stairways and other locations as recommended by Inspections;

(6) $732 for reimbursement to the City for the cost of installing meter posts.

Approval is further recommended for the following transfer:

From:	34-2-3807-0100	Telephones	$26,504.00
To:	34-2-3810-0101	Municipal Parking General	$26,504.00

On behalf of the Committee, Ms. Block moved the recommendation be upheld. Her motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. They Mayor ruled the motion adopted. See Ordinance 484 TF 15.

REPORT AND RECOMMENDATION OF THE DOWNTOWN COMMITTEE

MARKET PLAZA/REDEVELOPMENT PLAN - CONCEPT APPROVED; REFERRED TO CITY PLANNING COMMISSION

Council Members received information in their Agenda packet relative to the Market Plaza/Redevelopment Plan consideration. The Committee recommends approval of the plan, as submitted, as a concept for the redevelopment plan and approval of the schedule for plan adoption as follows:

SCHEDULE FOR PLAN ADOPTION AND IMPLEMENTION

February 19	City Council Review and Referral to Planning Commission. Authorization of public hearing for March 19.
February 25	Planning Commission Review
March 11	Planning Commission Recommendations
March 19	City Council Public Hearing
March 19 or April 2	Plan Adoption
April-June	Inspections and Consultations
July	Funding

Mayor Upchurch moved the recommendation of the Committee be upheld. His motion was seconded by Mr. Congleton and put to a vote which passed unanimously. The Mayor ruled the motion adopted. Ms. Block indicated as she understands there are no funds available for this project, this is just a plan and she would like this discussed further. Mayor Upchurch indicated the Council has already voted with Ms. Block indicating she did not vote. Ms. Block indicated she would like the item explained. Mr. Walters moved that the Council reconsider the previous action so that this item can properly be discussed before the Council. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

City Manager Benton indicated the Committee did look at this as a way to bring all of the buildings in the area up to a state that would be complimentary to the renovation that has taken place. He explained the type of actions that could occur but pointed out the big concern he has is the ability to proceed with the plan if it comes to acquisition on the part of the City. He indicated the Committee is recommending that the process commence and the funding considerations would be discussed at a later time. Mayor Upchurch pointed out this is the main tie between the Mall and the Market Project with Ms. Block pointing out that she feels that funding is a big part of the plan. She suggested that perhaps this should be referred to Administration or back to the Committee to see where the funds are coming from. City Manager Benton indicated this could be accomplished as a part of the review process pointing out we do not have the approximate $1,000,000 at present. Ms. Block stated she would like to refer this to Public Works Committee. This did not receive a second. Ms. Block moved that the Market Plaza/Redevelopment Plan be referred back to the Downtown Committee to consider the funding question. That motion did not receive a second. Mr. Congleton moved that the recommendation of the Committee as outlined be upheld. His motion was seconded by Ms. Babb. Mr. Walters indicated it is not unusual to work on a plan without knowing where the money is coming from that the planning process takes a long time. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Ms. Block who voted in the negative. The Mayor ruled the motion adopted.

WAKE COUNTY MEDICAL AUXILIARY - INFORMATION RECEIVED

As a matter of information, the Committee received a request from the Wake County Medical Auxiliary. The Committee is asking the Downtown Advisory Committee to look at this request and bring a recommendation back to the Downtown Committee. The item was received as information and held in the Downtown Committee.

CITY ART GALLERY - CITY MANAGER TO MAKE A REPORT AT NEXT MEETING

Mayor Upchurch indicated the Downtown Committee did make a report on the City Art Gallery request. He pointed out, however, City Manager Benton asked that this be held until the next City Council Meeting for action. Without objection, the item was held with the understanding a report would be made at the February 19, 1985, meeting.

DOWNTOWN HOUSING PROJECT - FORMATION OF TASK FORCE APPROVED; CRITERIA FOR SELECTING AND DESIGNATING MASTER DEVELOPER - APPROVED; PUBLIC HEARING ESTABLISHED FOR MARCH 5

Council Members received information in their Agenda packet relative to the Downtown Housing Program. The Committee recommends that the Council request the three Citizens Advisory Groups (South Central, Central, and North Central) to submit recommendations for the Neighborhood Task Force (two members each) by February 19.

The Committee also recommends approval of the criteria for selecting/designating master developer and authorize administration to review and recommend on counter-proposals received on or before February 19, if any.

Mayor Upchurch removed the recommendation be upheld. His motion was seconded by Ms. Cates. Mr. Calloway indicated he had a question about the date for the public hearing with Mayor Upchurch indicating he was going to recommend later in the meeting that the public hearing date be changed. The motion as stated was put to a vote and passed unanimously. The Mayor ruled the motion adopted.

Later in the meeting, Mayor Upchurch pointed out February 19 is not a regular date for a night meeting, therefore, he would like to suggest that the public hearing be rescheduled to March 5 with the understanding that any counter proposals would still be due on or before February 19. Mr. Congleton moved the Mayor's recommendation be upheld. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

The make-up of the East Side Neighborhood Task Force and the criteria for designation was as follows:

DOWNTOWN HOUSING PROGRAM
DOWNTOWN COMMITTEE
1/22/85

A. Eastside Neighborhood Task Force

Recommendation

Membership: Two representatives each from South Central, Central and North Central Citizens Advisory Councils

Purpose: Input to developer, Administration and Downtown Committee on preparation of Comprehensive Housing Plan for program area

Input on preparation of general requirements for developer agreements

Input on development and design standards

B. Eastside Neighborhood Master Developer

Recommendation

Criteria for Designation:

1. Qualifications of Development Team - professional degrees and affiliations in the areas of real estate development, business, historic/neighborhood preservation, urban design and architecture, marketing and development management.

2. Comparable Experience - directly associated with completed developments involving downtown housing, neighborhood preservation, public-private development projects, innovative financing programs, including local tax-exempt issues.

3. Program Proposals - evidence of commitment to program objectives and philosophy, including leverage of affordable housing with profits from market-rate developments, integration of existing housing stock with new construction, maintenance of urban neighborhood character and timely implementation.

4. Financial Resources - evidence of commitment or interest from financial institutions and of firm's capability to cover pre-development expenses.

5. Commitment - indication of the firm's intention to undertake this program and fulfill overall objectives under binding agreements with the City.

CAROLINA REGIONAL THEATRE - GRANT APPROVED - FUNDS APPROPRIATED

Mayor Upchurch indicated the Downtown Committee recommends appropriating $75,000 from City Council Contingency for a grant to Carolina Regional Theatre. On behalf of the Committee, he moved the recommendation be upheld. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 484 TF 15.

CAROLINA REGIONAL THEATRE - REPAYMENT OF FIRST YEAR OF LOAN - FUNDS ACCEPTED

Bill Winstead, representing Carolina Regional Theatre, indicated that last year, the City Council agreed to loan Carolina Regional Theatre $75,000 to be paid back over a three year period. Mr. Winstead presented a check in the amount of $25,000.

Dee Ann Jones, representing Carolina Regional Theatre, expressed appreciation for the Council's support last year. She pointed out the Theatre is making great headway explaining last year, 825 season tickets were sold but as of earlier today, 2,000 season tickets have been sold for the upcoming year.

REPORT AND RECOMMENDATION OF THE REAL ESTATE COMMITTEE

None.

REPORT AND RECOMMENDATION OF THE RALEIGH TRANSIT AUTHORITY

TRANSIT AUTHORITY - PROPOSAL FOR CONSULTING SERVICE FOR MARKETING RESEARCH - APPROVED

a. The Transit Authority requests the City Council to authorize to proceed with a Request for Proposal for Consulting Services to perform marketing research and to develop a five-year marketing plan. The Authority would return to Council for subsequent approval prior to selection and the signing of a contract. The Authority also requests Council approval of a transfer of $16,000 from 42-2-9010-0291, Operating Deficit, to 42-2-9010-0280, Marketing, for the cost of the marketing plan. No additional funds are necessary.

   The Authority's line item budget did not include the cost of this study; however, excess funds are available in the operating deficit line item. The Authority has determined that it needs a more structured, long-term comprehensive marketing strategy in order to maximize the benefit of the spending of the annual marketing budget. The Authority feels that to develop such a strategy will require outside expertise.

Mr. Congleton moved the recommendation as explained by City Manager Benton be upheld. His motion was seconded by Ms. Babb and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE

HUMAN RESOURCES AND HUMAN RELATIONS ADVISORY COMMITTEE - RECOMMENDATIONS ON SHELTER ORDINANCES - REFERRED TO LAW AND FINANCE COMMITTEE

Council Members received in their Agenda packet material relating to the report of the Human Resources and Human Relations Advisory Committee. Chairman Gammon could not be at the meeting and without objection, the item was referred to Law and Finance Committee.

REPORT AND RECOMMENDATION OF THE CITY MANAGER

FALLS LAKE - PROPOSED HYDROPOWER PLANT PROJECT - MOTION TO INTERVENE APPROVED

A notice of application for a hydropower plant permit at Falls Lake has been published in the newspaper for the Federal Energy Regulatory Commission. In reviewing the proposal, it appears to be a "run of the river project" with the power generated from water released through the dam. While this may be a reasonable and compatible use with the water supply needs of the City, it is the conclusion of Administration that the City should formally express its concerns which are as follows:

(1) The hydropower plant should not have any effect on the safe yield of the raw water supply for the City of Raleigh. The proposed intake for the power plant is within the level of the conservation pool and should be moved up to a higher elevation so that it would operate from the flood pool.

(2) The hydro plant should not impact any operating rule curves which are to be finalized by the Corps of Engineers on the operations of the dam. The power plant should not have any impact on the minimum release rates to be established.

(3) The hydro plant should not impact the water quality of the lake.

(4) The City should be assured that the Corps of Engineers will control and coordinate the hydro plant releases.

Included in the Council Members' Agenda packet is a proposed letter.

Recommendation: That the Council officially express its concerns to the Federal Energy Regulatory Commission and authorize the Mayor to sign the proposed letter which would be classified as a "motion to intervene."

Mr. Calloway moved the Manager's recommendation be upheld. His motion was seconded by Ms. Block and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

Ms. Block questioned if this proposed plant was within our original contract with the Federal Government when they approved our funding with City Manager Benton indicating it was not, it was something that has come along since that time. Ms. Block indicated she wanted it pointed out that these our minimum concerns and questioned if this means that we are putting the City in the position to object. City Manager Benton indicated he understands at this point, this is the strongest objection we could make. Ms. Block indicated that she certainly feels that there is a strong possibility that the City of Raleigh would oppose this plant and she wanted that a part of the record.

PERSONNEL - REQUEST TO OVERHIRE POLICE - APPROVED

The Raleigh Police Department is presently preparing to commence a four month police training session for recruits on March 4, 1985. Presently, we have ten vacancies as a result of retirements and other separations. During this training session, we would like to include an additional fifteen recruits so as to formulate a class of twenty-five students. This is an overhire of fifteen officers and is in anticipation of an increase in quota of fifteen officers to coincide with the increase in population and area resulting from numerous annexations.

The City has acquired many new neighborhoods in the past three years. Also during this period of time, many other areas of the City experienced internal growth expanding the need for services. It is estimated that there will be an excess of 174,000 residents of the City in 1985. The additional people requested will be used to create two new beats north of the Beltline as well as provide additional supervisory capability.

There will be included in the proposed budget for 1985-86, a request for additional personnel. This request, at this time, is to allow hiring of additional personnel to meet the training schedule and allow these personnel to be available for enforcement work in the fall of 1985. If the Council does not approve the total number of new positions in the 1985-86 budget, these personnel would be used to fill vacant, authorized positions resulting from turnover. However, it could result in additional cost if a full fifteen positions did not become vacant.

The current Police Department budget does have sufficient funds to meet these additional costs for the remainder of FY 84-85.

Recommendation: That the City Council approve the hiring of 15 additional personnel in the Police Department to commence their required training.

City Manager Benton explained the recommendation reiterating that in the 85-86 budget, additional positions will be requested in the Police Department. In response to questioning, he indicated the attrition rate in the Police Academy is 10 to 12 percent. After other brief discussion, Ms. Block moved the Manager's recommendation be upheld which was seconded by Mr. Congleton and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - ADDITIONAL POSITION IN PUBLIC UTILITIES DEPARTMENT - APPROVED - FUNDS APPROPRIATED

The general increase in development activities in the City places responsibilities on the Utilities Department to review development plans. In addition, the Perry Creek-Neuse River Project will require special staff coordination.

Recommendation: That the Council approve an additional Engineering Technician position in the Utilities Department. This position is a pay grade 32 and a transfer as follows would be necessary:

Transferred From:		
06-02-7100-0002	Contingency-P.U.	$7,500.00
Transferred To:		
06-02-7010-0100	Salaries-P.U.	$7,500.00

As a matter of information, City Manager Benton indicated the agreements on the Perry Creek/Neuse River Project has been signed. Ms. Cates moved the Manager's recommendation be upheld which was seconded by Mr. Walters and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 484 TF 15

SWIM FEE - CHAVIS AND BILTMORE HILLS - NEW FEES APPROVED

To increase participation at these two pools, a proposed adjustment in swim fees has been developed. A report was included in Council Members' Agenda packet.

In 1984, a test program of a free swim day was approved for Chavis Pool and did result in increased attendance.

The proposal for 1985 is:

(1) Free swim days on Wednesday for Chavis and Biltmore Hills pools.

(2) Reduced week-end and holiday rates at Chavis and Biltmore Hills pools.

Age	Current	Proposed
6-15	$1.25	$.35
16 and over	$1.50	$.75

Recommendation: That the two proposed revisions in pool usage be approved. Mr. Calloway moved Administration's recommendation be upheld. His motion was seconded by Ms. Cates.

Ms. Block made as substitute motion that the matter be referred to Public Works Committee pointing out she feels that we do need to have more use of these pools and her initial reaction would be, rather than free swim days, reduce the fee across the board and have a total reduced swim fee rather than reduced rates on certain days. Her motion did not receive a second and the original motion to uphold Administration's recommendation was put to a vote which resulted in all members voting in the affirmative except Ms. Block who voted in the negative. The Mayor ruled the motion adopted.

FIRE EQUIPMENT - REPAIR FUNDING - APPROVED

Recently, a Fire Department pumper was damaged in an accident. The cost to repair the equipment is $16,500 and the City is self insured. A transfer of funds is needed to supplement the Fire Department equipment repairs budget.

Recommendation: That the following transfer of funds be approved:

Transferred From:		
01-2-1040-0001	Contingency	$16,500
Transferred To:		
01-2-4110-0233	Maintenance and Operations	$16,500

Mr. Walters indicated this truck had been repaired under a program funded by the City whereby there would be closed cabs rather than open cabs and he feels that program had paid for itself in this one instant. He moved the Manager's recommendation be upheld. His motion was seconded by Ms. Cates. City Manager Benton indicated this one incident did show the worth of the closed cab program. The motion as stated was put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted. See Ordinance 484 TF 15.

TAX LIEN FORECLOSURES - FUNDS AUTHORIZED

To implement a Council approved procedure in which property subject to tax lien foreclosures and located entirely within the City Limits is placed in the City's name, a payment of $17,500 needs to be approved to pay off all liens. Upon payment on these eleven properties, they will be deeded to the City and the City will receive approximately $6,000 back in the form of tax and assessment payments.

Recommendation: That this action be approved with payments from account 3020-0266, Suit Costs. No additional funds are needed. Mr. Congleton moved Administration's recommendation be upheld. His motion was seconded by Ms. Babb and put to a roll call vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

TARHEEL AQUA RACERS - CO-SPONSORSHIP REQUEST - DECLINED

The City Manager has been previously requested to review the request of this group to be co-sponsored by the City. Administration has reviewed this request and met with officials of the organization. Our conclusion is that it is not feasible to provide this arrangement. A report was included in the Agenda package. This conclusion is not intended to reflect negatively on the quality of this swim program. In fact, the City staff has enjoyed an excellent working relationship with the Tarheel Aqua Racers. This decision is based on the analysis of such a policy impact on other pool users and our ability to be equitable to all groups.

Recommendation: That the City Council decline the co-sponsorship request of Tarheel Aqua Racers. City Manager Benton indicated this recommendation is not meant to reflect negatively on the Tarheel Aqua Racers Program but Administration just did not feel the co-sponsorship request from Tarheel Aqua Racers would be equitable treatment to other swim groups. Mr. Calloway moved the Manager's recommendation be upheld. His motion was seconded by Mr. Keller and put a vote which passed unanimously. The Mayor ruled the motion adopted.

EMERGENCY JOBS BILL - LYDIA BAPTIST HOME - CONTINUATION OF FUNDING APPROVED CONDITIONALLY

In 1983, the City Council approved funding of $5,000 for this organization. The organization operated for six months in violation of the City's zoning ordinance and the funding was suspended when the owner failed to comply with the zoning code. The owner has now advised the City that the agency will be located at 208 East Lenoir Street by February 15, 1985, which is in compliance with the zoning ordinance.

As a general rule, the City should not reconsider funding agencies which violate the City's Codes and do not take steps to comply. However, it may be reasonable to consider reinstating this agency to allow usage of the remaining funding allocation of $2,706.

Recommendation: That Council approve continuation of the funding for this agency, provided no funds are to be allocated until the building meets all City Code requirements and that the agency may employ a full-time cook instead of a part-time employee in this position.

Ms. Block pointed out this item is on the Board of Adjustment's next Agenda. Whether it has to have Board approval was discussed briefly, after which Mr. Calloway moved Administration's recommendation be upheld subject to Board of Adjustment approval of the location. His motion was seconded by Ms. Babb and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESIDENCY REQUIREMENT - POLICE AND FIRE DEPARTMENT PERSONNEL - CITY CODE AMENDED

The current City Code requires that law enforcement and Fire Department personnel live within Wake County. It is desirable to modify this requirement by basing the residency on a distance in miles from the City which is more directly correlated with the need to be available for emergency calls. Included in the Council Members' Agenda was a proposed revision to the pertinent sections of the City Code.

Recommendation: That the City Code be amended as proposed. Ms. Cates moved the recommendation be upheld. Her motion was seconded by Ms. Babb. Mr. Walters stated he saw no reason to change the residency requirement as he does not want the Police and Fire Departments to end up like the Sanitation Department wherein almost all employees live in Nash County or outside the City of Raleigh. The motion as stated was put to a vote which resulted in all members voting in the affirmative except Mr. Walters who voted in the negative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 488

AN ORDINANCE AMENDING THE CITY CODE TO REVISE THE RESIDENCY REQUIREMENTS FOR FIRE AND POLICE DEPARTMENT PERSONNEL

WHEREAS, provisions of the Raleigh City Code now impose residency restrictions on police and fire personnel due to the specialized nature of their work and the need for quick responses in emergency situations; and

WHEREAS, these provisions are in need of revision in order to more reasonably satisfy their objectives, to wit: adequate response time by police and fire employees during emergencies, and flexibility for the employees in their choice of residency arrangements.

NOW, THEREFORE, BE IT ORDAINED by the Raleigh City Council as follows:

Section 1. Section 5-1003 of the Raleigh City Code, entitled, "Police Residency Requirements", is hereby repealed, rewritten, and reenacted to read as follows:

"All members of the police department, with the exception of clerical support personnel, must live within thirty-five (35) miles' driving distance of the Raleigh Municipal Building. All employees of the police department are required to have at their residences an operational telephone. In those cases where telephone calls from the employee's residence to the Raleigh Municipal Building is long distance, the employee must agree to accept the charges for person to person calls to them concerning City business or public safety emergencies. All employees of the police department must provide to the department their current residence address and telephone number, and promptly advise the department of all changes.".

Section 2. The third sentence of Section 5-2003 of the Raleigh City Code, which section is entitled, "Composition of Companies; Residence of Members", is hereby repealed, rewritten and reenacted to read as follows:

"All members of the fire department, with the exception of clerical support personnel, must live within thirty-five (35) miles' driving distance of the Raleigh Municipal Building. All employees of the fire department are required to have at their residences an operational telephone. In those cases where telephone calls from the employee's residence to the Raleigh Municipal Building is long distance, the employee must agree to accept the charges for person to person calls to them concerning City business or public safety emergencies. All employees of the fire department must provide to the department their current residence address and telephone number, and promptly advise the department of all changes.".

Section 3. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed.

Adopted: 2/5/85

Effective: 2/5/85

DESIGN SERVICES - NEW HOPE CHURCH ROAD - ADMINISTRATION TO NEGOTIATE CONTRACT WITH BIGGER AND AGNEW, INC.

This project has been approved by the Council and involves realignment of New Hope Church Road from Bland Road eastward to and across the railroad. Design proposals have been solicited and a list of firms submitting proposals is included in the Agenda packet. The City Administration has prioritized the proposals and the top five firms are listed below in order of preference.

(1) Bigger and Agnew, Inc.
(2) Diaz, Seckinger and Associates
(3) Florence and Hutcheson, Inc.
(4) Rummel, Klepper and Kohl Engineers
(5) Miller - Watt Estes, Inc.

Recommendation: That the Council approve selection of the firm of Bigger and Agnew, Inc., subject to Administration being able to negotiate a contract which would be submitted to Council for consideration. Mr. Congleton moved the Manager's recommendation be upheld. His motion was seconded by Ms. Babb. Ms. Cates questioned if cost was one of the factors looked at in making the recommendation to the Council with City Manager Benton indicating cost was not looked at as a criteria in selecting the firm to do the design services. Discussion took place on the Council's policy of spreading work around where feasible and the amount of work that Bigger and Agnew has done in the City. The location of the firms was discussed briefly, after which the motion as stated was put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

FLOODPLAIN REGULATIONS - NEW HOPE TRIBUTARY - PUBLIC HEARING AUTHORIZED

Administration has been working with the Corps of Engineers to redefine the flooding on the New Hope Tributary to Marsh Creek. The study has been completed and the Corps of Engineers has developed new maps. A public hearing is necessary before the revised maps can be adopted by the Council. In addition, the Federal Emergency Management Administration must approve the modifications.

Maps will be available at the Council Meeting.

Recommendation: That the City Council authorize a public hearing for March 5, 1985.

Inspections Director Owens explained in June of 1984, the City Council requested the Corps to re-delineate the New Hope Tributary. He talked about the process utilizing a map showing the proposed new delineation. In response to questioning, Mr. Owens indicated his department would not issue permits for construction in this area unless the applications comply with the new lines as well as the old lines, the same as is done in zoning matters. After brief discussion, Mr. Congleton moved the public hearing be authorized. His motion was seconded by Ms. Cates and after brief discussion put to a vote which passed unanimously. The Mayor ruled the motion adopted.

CITY CODE CHANGE PROPOSALS - DEVELOPMENT COORDINATION - PUBLIC HEARING AUTHORIZED

Administration has been working on procedures to improve the development coordination process and several code changes are being suggested. A copy of the actual proposed text changes were included in the Agenda packet. These proposals would be as follows:

(1) The first item amends the section of the Code concerning payment of fees in lieu of assessments which applies when the City builds water and sewer lines outside the City and cannot assess the adjoining property owner. Clarification is needed to provide when these fees are to be collected. The City Code now requires payment when a property owner taps onto the line when outside the City. The proposal would provide that the fees would be owed to the City at the time of connection or recordation of a subdivision, whichever occurs first.

(2) The second part establishes a limit on the number of stubs for each lot to correlate the code provisions concerning the number of buildings per lot except for subdivisions in which case no permit is to be issued until an engineering drawing is approved.

(3) The third part defines the word "stub" and distinguishes water and sewer service stubs from the broader term of water and sewer services to eliminate confusion with State Building Code usage of terms.

(4) The fourth part involves minor cleaning up of utility related sections.

(5) The fifth item involves requiring that development plans indicate the number of units in each building so that address assignment is facilitated.

Mr. Congleton moved the text change be advertised for public hearing. His motion was seconded by Ms. Babb and after brief discussion put to a vote which passed unanimously. The Mayor ruled the motion adopted.

PRIVATE STREET CURB STANDARDS - APPROVED

Currently, the City standards for public streets are the standards for private streets. Requests have been received for approval of alternative curb standards for private streets. Administration has developed the following suggested modifications to design standards for private streets:

(1) Rolled curbs or "valley gutters" would be permitted because drainage would be improved in comparison with the presently permitted no curb treatments and private owners are responsible for turf maintenance adjacent to the gutter;

(2) Reduced widths for standard curbs would be permitted because of low traffic volumes and loads on private streets.

Recommendation: That the design standards for private streets be modified as proposed. Ms. Cates moved Administration's recommendation be upheld. Her motion was seconded by Mr. Walters and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

APOLLO HEIGHTS COMMUNITY CENTER - BIDS REJECTED PROJECT TO BE REBID

City Manager Benton indicated bids for construction of a community center were to be opened January 31. He indicated everyone has been pushing hard to get this project under way. He stated, however, the architect and the former Parks and Recreation Director did not understand the bid procedures and did not delineate the technical work and the project was bid as one project. Therefore, it is necessary for the architect to rebid the project. He stated the architect has assured him that he can rebid the project and be back at the next meeting with the new bid, therefore, Administration recommends rejection of the bids received on January 31 and direct the architect to rebid the project as it relates to Apollo Heights Community Center. Ms. Cates moved the Manager's recommendation be upheld which was seconded by Mr. Walters and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TURKEY CREEK BASIN - SANITARY SEWER EXTENSION - CONCEPT APPROVED - ADMINISTRATION TO WORK ON AGREEMENT WITH DEVELOPERS TO BRING BACK TO THE CITY COUNCIL

City Manager Benton presented a map showing the Turkey Creek area and the possible extension of a sanitary sewer line into the area. He explained the project and proposed agreements as outlined below:

TURKEY CREEK

Sanitary Sewer Line

Project Scope: From Crabtree Creek along Turkey Creek to confluence of east and west branches of Turkey Creek, then along east branch to a point 3,000 feet north of U.S. 70 West.

Construction Cost: $1,902,000

Proposed Agreement:

1. City will fund as part of the construction cost an amount of $300,000 and will provide 25% of the design costs not to exceed $50,000.

2. Developer will fund the remainder of the design and construction costs through prepayment of acreage fees and direct contribution if necessary.

3. Payments by developer in excess of prepaid acreage fees will be considered for an acreage fee reimbursement contract to be repaid from future acreage fees.

4. Developer will petition for annexation all their property which is in the area served by this sewer line.

5. Developer will provide all easement rights-of-way which crosses property under their control without cost to the City.

City Manager Benton indicated he has been working with a group of developers to try to provide for the logical planning and extension of utilities into the area and everyone feels that this is a reasonable approach. He stated what he is asking the Council to do is approve this approach in concept and authorize agreements to be developed to come back to the City Council for final approval and funding. Mr. Congleton moved the Manager's recommendation be upheld. His motion was seconded by Ms. Babb and roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

PERSONNEL - POSITION IN PLANNING DEPARTMENT AT HIGHER THAN ENTRY LEVEL - APPROVED

City Manager Benton indicated the City has been seeking a person to fill a Planner position in the Comprehensive Planning unit of the Planning Department. He pointed out the City has identified a person to fill this position and in this particular case, he would recommend that the City Council authorize Administration to hire this person in a Senior Planner position, Pay Grade 38, Step 5. Mr. Congleton moved the Manager's recommendation be upheld which was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT AND RECOMMENDATION OF THE CITY ATTORNEY

PARKS AND RECREATION - SWIM TIMER - CITY ATTORNEY AUTHORIZED TO FILE SUIT

City Attorney McCormick indicated sometime ago, the City purchased a highly technical timer from Colorado Time Company. He explained a down payment has been made, however, we cannot get delivery nor the money back. He requested that he be allowed to file suit if continued efforts didn't get results. Mr. Congleton moved the Attorney's recommendation be upheld. His motion was seconded by Ms. Babb and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

REPORT OF MAYOR AND COUNCIL MEMBERS

ARENA COMMITTEE - INFORMATION RECEIVED

Mayor Upchurch indicated Council Members did receive an update from the Arena Committee. He indicated on Thursday of this week, the Arena Committee would be awarding a contract for feasibility study and this would take place in Room D of the Civic Center. All Council Members were invited to attend.

TRAFFIC - MARKINGS ON HIGHWAY - REFERRED TO ADMINISTRATION

Mayor Upchurch asked that Administration check into the markings on the highway in and around Creedmoor Crossings. He pointed the markings are faded and particularly when it rains, it is very difficult to see the lines on the highway. He stated this is true on Leesville as well as Creedmoor Road. Mr. Walters indicated Hillsborough Street has the same problems. Without objection, the item was referred to Administration.

TRASH ON RIGHT-OF-WAY - REFERRED TO ADMINISTRATION

Mayor Upchurch indicated that around the Beltline and on Wake Forest Road, the right-of-way is in deplorable condition with trash, litter, etc. He indicated the dirtier a place is, the dirtier it gets and he was wondering if there is anything the City could do about it. City Manager Benton indicated that is State D.O.T. responsibility but the City would be glad to look at it to see if any suggestions or improvements could be made.

Ms. Cates indicated she has written some comments about trash as follows:

Litter:

1. Litter makes a strong statement and makes a lasting impression.
2. Says how people feel about their environment.
3. Encourages others to litter.
4. Makes people feel less safe.
5. Causes people to watch where they are stepping.
6. Attracts insects and animals.
7. Says laws are not enforced.
8. Drives people away.

Without objection, the item was referred to Administration.

PROJECT SELF-SUFFICIENCY - APPOINTMENT OF TASK FORCE - REFERRED TO LAW AND FINANCE COMMITTEE

Mayor Upchurch indicated several months ago, the Raleigh Housing Authority applied for and received a grant for project self-sufficiency. He indicated this involves some 100 certificates and jobs for single parents. He explained that one of the obligations of the grant includes the appointment of a task force and he has received some suggestions from the Raleigh Housing Authority. He stated without objection, he would like to refer this matter to Law and Finance Committee to see if they could come back with recommendations at the next meeting explaining all the Council needs to do is designate the task force. Without objection, the items was referred to Administration.

CITIZEN INPUT - POSSIBILITY OF YOUR MEETINGS - REFERRED TO ADMINISTRATION

Mayor Upchurch indicated he would like the City Manager to review a thought he has had recently. He indicated in recent meetings and talking with people, he has learned that citizens of Raleigh are happy to give of their expertise and provide input to the Council and feel very comfortable about it. He indicated he had recently come across the idea of having "Your" Meetings pointing out "Your" stands for "Your Opinions Unite Raleigh." He indicated he is not talking about adding another Council Meeting, he had just come up with the idea of the first Wednesday night of each month that between 5:00 and 7:00, the citizens can come in and say what is on their mind. He stated this is just a way to give citizens an opportunity to provide input. He indicated any Council Member who wanted could attend but it would not be a regular Council Meeting. He stated without objection, he would like to ask the City Manager to analyze this possibility pointing out maybe, the City Manager could have a staff person to come in and any Council Member who wanted to could attend. He explained it would be similar to a town meeting. Without objection, the item was referred to Administration.

PRIVILEGE LICENSE - RED'S - APPROVED

Mr. Walters indicated he understands that Red's, 2404 Wake Forest Road, has applied for a privilege license for a private club, dance hall with live entertainment classified as a Class I entertainment center. He indicated he had checked with the manager and the investigations are complete and Administration is recommending approval. He stated this application did not get through the administrative approval process prior to the Agenda deadline, therefore, he would like to bring it up and would move approval of the privilege licenses as applied for. His motion was seconded by Ms. Cates and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

SISTER CITY COMMITTEE - REBECCA WEATHERFORD - APPOINTED

Mr. Walters indicated Dr. Thelma Roundtree is a member of the Sister City Committee. He indicated Dr. Roundtree is seldom able to attend the 9:00 a.m. meeting, however, she has been sending Rebecca Weatherford in her place. He stated it is very important for Dr. Roundtree to remain on the Committee, however, he would like to ask the City Council to add Rebecca Weatherford as a regular member pointing out her input has been valuable. Mr. Walters moved that Rebecca Weatherford be added as a member of the Sister City Committee. His motion was seconded by Mr. Calloway and passed unanimously. The Mayor ruled the motion adopted.

SISTER CITY COMMITTEE - INFORMATION ON INTERNATIONAL FOLK FESTIVAL - REFERRED TO WORK SESSION

Mr. Walters indicated the Sister City Committee has been working on a presentation relative to an International Folk Festival. He stated the Committee would like to make a report to Work Session. Without objection, the item was referred to Work Session.

LIGHTWOOD INVESTMENTS - DECLOSURE MADE

Ms. Cates indicated she wanted to state for the record that she is one of 36 people of Lightwood Investments Group who have recently been involved in rezoning applications Z-1-85 and Z-2-85. She stated she would not be participating in either discussions or voting on these matters but she wanted her ownership interest a part of the public record. The comments were received.

LEAF COLLECTION - SCHEDULING PROBLEMS - REFERRED TO ADMINISTRATION

Ms. Cates indicated she had been receiving a number of calls and letters on the leaf collection schedule and these voiced some dissatisfaction. She stated personally, she would like to commend Mack Jones and his crews for the outstanding job that has been done but pointed out she feels that the schedule does need some improvements and she would suggest that staff carefully review the leaf pickup schedule for next year. The item was referred to Administration.

PARKS ACQUISITION - STATUS REQUESTED

Ms. Cates indicated she was concerned in that the City Council voted $300,000 for park acquisition in this year's budget and to date, the Council has not received any priority listings from Administration. She stated she would like a report on just where we are. City Manager Benton indicated he would hope that it would be presented the first meeting in March.

ROAD BOND PROJECTS - INFORMATION REQUESTED

Ms. Cates questioned when the City Council would be getting information on the road projects suggested by Administration to be included in the Road Bond Issue. City Manager Benton indicated he hoped this would be presented to the Council the first meeting in March.

ZONING CODE - RESIDENTIAL IN O&I ZONING - STATUS REQUESTED

Ms. Cates questioned where we are in the proposal that residential uses be taken out as an allowed use in O&I zoning. Planning Director Chapman indicated a subcommittee of the Planning Commission is working on this with Ms. Cates questioning when it would be brought forward. Ms. Block moved that the City Council ask the Planning Commission to make this item a high priority for a report to be given back to Council. Her motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

TRAFFIC - EAST MARTIN/HAYWOOD STREET - REFERRED TO ADMINISTRATION

Mr. Calloway indicated he had received some requests from citizens in the area of East Martin and Haywood Streets intersection. He indicated they are asking that the City consider placing a traffic light at that corner pointing out he understands that traffic moves through the area at high rates of speed and several accidents have occurred there. He indicated in addition, there are several churches and businesses in the area which create pedestrian traffic and they fear that more accidents will occur. Without objection, the item was referred to Administration.

POLICE RESPONSE - 316 EAST DAVIE STREET - REFERRED TO ADMINISTRATION

Mr. Calloway indicated he had received a call from Mary D. Moore, 316 East Davie Street (829-9604) who indicated that several incidences have occurred in the last week and Ms. Moore could not get service from the Police Department. He indicated the report he received is that on Thursday or Friday of last week, there was an attempted burglary and when Ms. Moore called the police, they could not get police support and were told that the police had been advised not to service the area anymore. Without objection, the item was referred to Administration for investigation.

WAREHOUSE OF TIRES - STATUS REQUESTED

Mr. Calloway indicated he would like to have a status report on the public nuisance at the Warehouse of Tires. City Manager Benton indicated as he understands it, they have done the cleaning that they were required to do by the City. Mr. Calloway pointed out there are still a lot of tires in the area and maybe Administration should take another look at it. Without objection, the item was referred to Administration.

STREET IMPROVEMENTS - LORIMER ROAD - REFERRED TO ADMINISTRATION

Mr. Keller indicated about 10 years ago, there was a petition to pave Lorimer Road between Kaplan and Garland. He stated he did not know exactly what happened but he understands that rather than improving the street, the City went in and resurfaced the street. He indicated there is some interest being expressed now that the street be repaved, curbed and guttered and stated maybe the City should look at this in the light of forced paving. Without objection, the item was referred to Administration.

PARK LAND - NORTH BOULEVARD - INFORMATION RECEIVED

Mr. Walters indicated sometime back, he reported that some 20 acres of park land would be dedicated to the City in the North Boulevard area. He stated the City Attorney has advised him that the deed is now in hand and the City owns the park site in the North Boulevard area. The item was received as information.

REPORT OF CITY CLERK AND TREASURER

MINUTES - JANUARY 15 AND 17 - APPROVED

Council Members received in their Agenda packet copies of the minutes of the January 15, Council Meeting and the January 15 and January 17, joint hearings with the Planning Commission. Mr. Congleton moved the minutes be approved as presented. His motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ANNEXATIONS - WESTLAKE AND EAGLE CHASE SATELLITES - REFERRED TO INTERGOVERNMENTAL COMMITTEE; GREYSTONE, DUNBARTON POINTE - REFERRED TO CLERK TO CHECK SUFFICIENCY AND SET PUBLIC HEARING

The City Clerk indicated four petitions have been received, two which are noncontiguous and two which are contiguous to the City. She indicated the next step, if the Council so desires, would be to direct the Clerk to check the sufficiency of the petitions and if found sufficient, set public hearings. Brief discussion took place with Ms. Block pointing out she felt that the satellite annexations need to be studied in the Annexation Committee. After brief discussion, the two satellite annexations were referred to Intergovernmental Liaison Committee and the two contiguous annexations were referred to the City Clerk to check the sufficiency and set public hearings if found sufficient.

EXECUTIVE SESSION - HELD

The City Council went into Executive Session at 5:00 p.m. to consider voting on the Sir Walter Raleigh Award. The Council reconvened at 5:15 p.m. and without objection, adjourned to be reconvened at 7:00 p.m.

Gail G. Smith
City Clerk

The City Council of the City of Raleigh met in a regular reconvened meeting on Tuesday, February 5, 1985, at 7:00 p.m. in the City Council Chamber of the Municipal Building with the following present:

Mayor Upchurch, Presiding
Ms. Block
Mr. Calloway
Ms. Cates
Mr. Congleton
Mr. Keller
Mr. Walters

Ms Babb - Absent and Excused

Mayor Upchurch called the meeting to order indicating Ms. Babb had called and asked to be excused from the night portion of the meeting. Without objection, Ms. Babb was excused. The following items were discussed with action taken as shown.

REQUEST AND PETITIONS OF CITIZENS

SWIM ORGANIZATIONS - REQUEST FROM CORAS - REFERRED TO ADMINISTRATION

Bruce Mallette, representing CORAS, was at the meeting pointing out CORAS was formed to represent interested parties of the Raleigh swimming community and to support the instructional, recreational and competitive needs of their members. He indicated they are composed of six swim organizations: Friends of Optimist, Raleigh Area Masters, Raleigh Swimming Association, Tarheel Aqua Racers, Raleigh Y.M.C.A. Swim Team, and Tarheel Swimming Association. Mr. Mallette made a detailed presentation relating to the importance of swimming, pool usage, what swimming has done for the City of Raleigh, growth projections in the area and a step by step report on the aquatic planning in the City of Raleigh which began in November, 1976. He indicated CORAS strongly believes that usage rates, community interest and City growth points directly to the need to access Raleigh's present and future aquatic needs. He indicated they are requesting that the City Council take under its advisement the creation of an Ad Hoc Study Committee which includes CORAS representatives with the stated purpose being to review and update the overall aquatic plan for the City of Raleigh (a copy of Mr. Mallette's presentation and additional information available in the Clerk's Office).

Mr. Congleton indicated he has a whole folder of letters from people between the ages of 3 and 73 discussing this item. Mayor Upchurch indicated since he had been on the City Council, he has heard this subject discussed many times but the bottom line is that the money just isn't there. He indicated he saw nothing wrong with Administration taking Mr. Mallette's suggestions but we do have a problem with the money. He stated he saw nothing wrong with referring this to Administration and ask that they work with the Parks Board and CORAS on the possibility of updating plans but again pointing out money is not available. Mr. Walters indicated Mr. Mallette referred to an aquatic's study and plan for the City but that was a consultant's recommendation and it was never accepted by the City Council or incorporated into the Comprehensive Plan. Mr. Mallette indicated CORAS is aware of the money situation and after brief discussion by general consensus the matter was referred to Administration to work with the Parks Board and CORAS on the recommendations made by Mr. Mallette. Approximately 30 people stood in support of Mr. Mallette's remarks.

ROAD RACE - FRIENDS OF THE CHILDREN - APPROVED

Mike Jones, representing Wake Medical Center, had requested permission to utilize City streets for the purpose of having a road race to benefit the Friends of the Children at Wake Medical Center. Mr. Jones was not at the meeting. City Manager Benton indicated this race has been held in the past. This year it is scheduled for May 18, 1985, at 10:00 a.m. on streets around Wake Medical Center. He indicated Administration has no objection to the race being conducted as planned providing the sponsors provide any necessary signs and barricades and provided they also employ off duty police officers and one supervisor for traffic control. Ms. Block moved the recommendation be upheld. Her motion was seconded by Mr. Walters and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ROAD RACES - POSSIBILITY OF CRITERIA - REFERRED TO LAW AND FINANCE COMMITTEE

Ms. Block pointed out at almost every meeting, we have people coming to the Council asking to utilize City streets for various type road races. She stated it takes time for the Council to hear these requests and the person to come down and make the request. She asked that the matter be referred to Administration or a committee to look at setting up criteria whereby these could be approved or disapproved without the person actually having to come before the Council. Brief discussion took place and the item was referred to Law and Finance Committee.

ENCROACHMENT - VAUXHILL DRIVE - DENIED

Thomas J. Haag was at the meeting to ask permission to encroach on the City right-of-way to install a chain link fence on Vauxhill Drive. He indicated he wants to install the chain link fence right behind a hedge which is 3½ feet from the curb. City Manager Benton indicated this would be encroaching 7 to 8 feet into the City

right-of-way. He indicated Administration recommends that this request not be permitted as it would allow a fixed structure on the right-of-way which could cause problems. Mr. Haag indicated he would be willing to enter into an encroachment agreement. Ms. Cates questioned if there are sidewalks in this location and how much right-of-way exists. City Manager Benton indicated it is probably a 27 foot street on a 50 foot right-of-way. Mr. Haag indicated he just purchased a house and wants to install the fence in order to keep his dog in the yard. Brief discussion took place and Mr. Calloway moved that the request be denied. His motion was seconded by Mr. Keller and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ROAD RACE - SOUTHERN SPORTS AND OUTDOOR SHOW - APPROVED

Jim Young, representing the North Carolina Road Runners Club, was at the meeting to ask permission to utilize City streets on April 26, 1985, to conduct the Southern Sports and Outdoor Show 5K. City.Manager Benton indicated this request is to close a portion of Beryl Road between 6:00 and 6:45 p.m. on April 26 as a part of the Southern Sports and Outdoor Show to be held in Dorton Arena. He pointed out portions of the race will be outside the City with the only City street involved being Beryl Road between Method Road and Powell Drive. He indicated the sponsors have assured the City that they can conduct the race safely including crossing the railroad tracks twice by deploying monitors. Mr. Benton explained the Police Department has no objection to the race being conducted provided the sponsors provide, install and remove barricades necessary to secure the area and provide sufficient monitors to ensure safety. On duty police personnel can assist monitors should the situation dictate the need. Mr. Young indicated they have worked with the State as it relates to the State System streets. Ms. Block questioned the closing of Beryl Road and after brief discussion, Mr. Keller moved the request as presented be approved. His motion was seconded by Ms. Block and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ENCROACHMENT - 2616 LANDIS STREET - REFERRED TO PUBLIC WORKS COMMITTEE

Chester Debman was at the meeting to request an encroachment to allow a well to remain on the right-of-way at 2616 Landis Street. He indicated he realized that the well is on City right-of-way and he is requesting permission to allow the well to continue in place until such time as the City would need the right-of-way. City Manager Benton indicated this is located on the south side of Holly Springs Road and the street is not under the City's jurisdiction. It was pointed out the street is a part of a subdivision and the street has never been improved. He stated it is not the typical type encroachment. He pointed out the City has no regulations regarding wells, however, the Wake County Health Department should be apprised of the situation. Discussion took place on the fact that the well is in operation and is being used. After brief discussion by general consensus, the matter was referred to Public Works Committee.

NORTH CAROLINA HOUSING FINANCE AGENCY - CREEDMOOR ROAD - RESOLUTION ADOPTED

Clyde Holt, representing Crow, Terwilliger and Simpson, Inc., was at the meeting and explained the North Carolina Housing Finance Agency and how they participate in financing of construction projects. He explained how this program benefits the citizens and the City of Raleigh. He pointed out the first step in utilizing North Carolina Housing Finance Agency financing is the adoption of a resolution by the governing body approving participation. He explained this is for a residential development on approximately 20 acres of land on Creedmoor Road.

City Manager Benton indicated the property in question is 20 acres zoned Residential-10. He indicated this is not proposed to be subsidized housing, therefore, it is not subject to our HAP requirements. Ms. Cates moved adoption of the resolution as requested. Her motion was seconded by Mr. Keller and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1985) 711

RESOLUTION REQUESTING AND APPROVING THE PARTICIPATION OF THE NORTH CAROLINA HOUSING FINANCE AGENCY IN THE FINANCING OF RESIDENTIAL DEVELOPMENT TO BE LOCATED IN THE CITY OF RALEIGH, NORTH CAROLINA

WHEREAS, the North Carolina Housing Finance Agency is authorized pursuant to N.C.G.S. Chapter 122A to assist in the making of mortgage loans to sponsors of residential housing if requested to do so by the governing body of the City in which the housing development is to be located.

WHEREAS, an adequate supply of affordable housing is in the best interest of the health, safety and welfare of the citizens of the City of Raleigh.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. The participation of the North Carolina Housing Finance Agency in the financing of the proposed residential development described below and located on Creedmoor Road, in the City of Raleigh, North Carolina is hereby requested and approved pursuant to N.C.G.S. 122A-5(1):

Residential construction by Crow Terwilliger, Inc., of approximately 200 dwellings on the east side of Creedmoor Road near U.S. 70 West (Glenwood Avenue), Raleigh, North Carolina.

Section 2. This resolution will take effect upon its passage.

Adopted: 2/5/85

ENCROACHMENT - 2526 HILLSBOROUGH STREET - REFERRED TO PUBLIC WORKS COMMITTEE

Jerry Cook was at the meeting representing Guy C. Lee Manufacturing Company, owner of property at 2526 Hillsborough Street. He indicated this is the location of the old Electric Equipment Company. He explained the project that is being proposed for this location explaining the present building is a brick box that is uninviting, uninteresting and a negative point in the area. He stated it is hoped that this project and others would be a catalyst to improving the whole area. Mr. Cook presented a drawing pointing out they would like to change the concrete sidewalks to brick sidewalks, plant trees, install benches and trash containers between the trees, etc. He stated, however, he would like for the Council to postpone a decision on that part of his request until the next meeting pointing out he has been in touch with Dean Claude McKinney who will be presenting a proposal for all of Hillsborough Street at the next Council Meeting. Mr. Cook stated that they want their projects to comply with the recommendations for the total Hillsborough Street.

Mr. Cook indicated another problem is a request to be allowed to construct two sun rooms similar to what was constructed at Darryl's on Hillsborough Street. He pointed out about a year ago, he was before the City Council with the request for the sun rooms at Darryl's. He explained the sidewalk in this location is 14 feet wide, however, there is a portion between the sidewalk and the property line that is "no man's land." He stated in addition, they would like to be able to add canopies and awnings to the building on the Hillsborough Street side as well as the Pogue Street side. Brief discussion took place, after which City Manager Benton suggested that the Council defer action on all of these requests so that Administration can have the opportunity to review the specifics and Administration would bring back a recommendation at the next meeting. After brief discussion, Ms. Cates moved that the total request be referred to the Public Works Committee. Her motion was seconded by Ms. Block and put to a vote which resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ANIMAL CONTROL ORDINANCE - COMMENTS RECEIVED

Arthur Matthews was at the meeting indicating he wanted to voice his personal opinion about the City's requirement to license cats. He indicated he is also concerned about the badgering and harassment of citizens by the Raleigh Police Department who is going door to door to check to see if dogs and cats are licensed. He indicated in his opinion, this is another healthy tax revenue for the City and another burden on the citizens. He pointed out a man's home is his private domain and citizens have a constitutional right not to convey any information to law enforcement officers without counseling with an attorney, therefore, he feels this door to door campaign is unconstitutional. He explained he has been told that the license is to ensure that animals have been inoculated for rabies and in his opinion, that is a front as he feels it is only a way for the City to collect more tax as he sees no evidence of a threat of rabies in North Carolina. He stated the license required for dogs and cats thus further lines the pockets of Municipal Government and drug companies who furnish the materials for the rabies inoculations. He stated it would seem that if Municipal Government would spend the money it has more wisely, this tax would not be needed. The comments were received.

MORDECAI HISTORIC PARK - SALE OF GOODS ON MARCH 27 - AUTHORIZED

Marjorie O'Rourke was at the meeting representing the Mordecai Historic Society. She indicated they plan to have a linens workshop on Wednesday, March 27, from 10:00 a.m to 4:00 p.m. She stated an antique vendor will be conducting the workshop and a percentage of his receipts will be given to the Society. She stated she was at the meeting to ask permission for the vendor to be allowed to sell his work during the workshop. Mr. Walters moved the request be approved. His motion was seconded by Mr. Keller and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

UNFIT BUILDINGS AND DWELLINGS UNFIT FOR HUMAN HABITATION

UNFIT DWELLINGS - 1318 OBERLIN ROAD AND 819½ EAST HARGETT STREET - REPEALER ORDINANCE ADOPTED

Housing Inspections Supervisor Bartholomew indicated on December 4, 1984, the City Council adopted Ordinance 457 declaring the dwellings at 819 East Hargett Street and 1318 Oberlin Road unfit. He indicated the properties are now vacated and have been closed by the owners, therefore, that portion of the ordinance should be repealed. Mr. Walters moved the recommendation be upheld. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 489

AN ORDINANCE REPEALING ORDINANCE NO. (1984) 457 RELATING TO 1318 OBERLIN ROAD AND 819½ EAST HARGETT STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA THAT:

Section 1. That Ordinance No. (1984) 457 is hereby repealed in its entirety inasmuch as the property which is the subject of that ordinance has either been repaired or demolished.

Section 2. That a certified copy of this ordinance be recorded in the office of the Wake County Register of Deeds.

Section 3. This ordinance shall become effective upon adoption.

Adopted: February 5, 1985

Effective: February 5, 1985

MATTERS SCHEDULED FOR PUBLIC HEARING

UNFIT DWELLINGS - 2506 SOUTH SAUNDERS STREET AND 527 EAST CABARRUS STREET - ORDINANCE ADOPTED TO BE EFFECTIVE MARCH 20

This was a hearing to consider adoption of an ordinance finding the following dwellings unfit and directing that they be placarded:

2506 South Saunders - William G. and Pauline R. Lyna, property owners. Mr. Lyna indicated he is in agreement that improvement should be made at this location. He pointed out improvements had been started but were delayed because of personal illness and trouble he had had in keeping contractors on the job. He stated, however, he now has a contractor who he feels will complete the work, he just needs a little extra time. Brief discussion took place and Mr. Calloway moved adoption of an ordinance to become effective March 20 declaring the dwelling unfit pointing out this would give additional time to complete the repairs. The motion was seconded by Ms. Cates and put to a vote which passed unanimously. The Mayor ruled the motion adopted. See Ordinance 490.

527 East Cabarrus Street - Mabel C. Smith, property owner. Housing Inspections Supervisor Bartholomew indicated Mrs. Smith's representative, Attorney Ralph Stephens, contacted him late in the afternoon indicating they plan to make repairs to the house as soon as possible and he feels approximately 30 days would be ample time. Mr. Walters moved adoption of an ordinance declaring the dwelling unfit effective March 20. His motion was seconded by Mr. Calloway and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 490

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 10, Chapter 6, Article H of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Director of Inspections or his designee, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Director of Inspections of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
William G. and Pauline G. Lyna	2506 South Saunders Street
Mabel C. Smith	527 East Cabarrus Street

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This ordinance shall become effective March 20, 1985.

Adopted: February 5, 1985

Effective: March 20, 1985

PUBLIC NUISANCE COST CONFIRMATION - 701 SOUTH BOYLAN AVENUE - HEARING - RESOLUTION ADOPTED

This was a hearing to consider adoption of a resolution confirming charges in the amount of $103 for abating public nuisances at 701 South Boylan Avenue. The property is in the name of Sara Jean William. The Mayor opened the hearing. No one asked to be heard, thus, the hearing was closed. Mr. Keller moved adoption of a resolution confirming charges as outlined. His motion was seconded by Ms. Block and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

RESOLUTION NO. (1985) 712

A RESOLUTION ASCERTAINING AND COMPUTING THE TOTAL COST OF ABATING CERTAIN NUISANCES IN THE CITY OF RALEIGH, CONFIRMING THE SAME AND ASSESSING THE COST OF ABATEMENT AGAINST THE PROPERTY ON WHICH THE NUISANCE EXISTED

WHEREAS, the City Council of the City of Raleigh, pursuant to Chapter 160A of the General Statutes and Sections 2.14(33), (51), 22-51 and Sections 6.35 and 6.36 of the Charter of the City of Raleigh (Chapter 1184 of the 1949 Session Laws of North Carolina as amended) has the authority to prevent, abate and declare unlawful nuisances and to make the cost of said abatement a lien against the premises where the nuisances existed; and,

WHEREAS, pursuant to said Statutes the City Council of the City of Raleigh has adopted Part 12, Chapter 6 of the Code of the City of Raleigh, relating to the abatement of nuisances; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the nuisances as set out herein have been abated at the cost set out herein, pursuant to the Code of the City of Raleigh and more specifically Part 12, Chapter 6.

Section 2. That the City Council of the City of Raleigh hereby confirms the cost of abatement of the nuisances set out herein, pursuant to the General Statutes above referred to and makes the same a lien against the premises as provided in Part 12, Chapter 6 of the Code of the City of Raleigh.

Property Owner	Location	Abatement Cost
Sarah Jean Williams	701 S. Boylan Avenue Lot 8, Block CD-32, Map CD-11 ID #0055969	$103

Section 3. That this resolution shall become effective February 5, 1985.

Adopted: February 5, 1985

UNSAFE DWELLINGS - 107 POLK STREET AND 721 DOROTHEA DRIVE - ORDINANCE ADOPTED; 313 EAST CABARRUS STREET - REFERRED TO PUBLIC WORKS COMMITTEE

This was a hearing to consider adoption of an ordinance declaring the following dwellings unsafe and directing that they be demolished:

107 Polk Street - Virginia B. Mordecai, Heirs, property owner. The Mayor opened the hearing. Housing Inspections Supervisor Bartholomew indicated the State is scheduled to acquire this property but has run into some problems getting the deeds signed. He indicated a local developer plans to move the building to the 100 Block of North Person Street. He indicated a representative of the State agrees that this is correct. Mr. Bartholomew indicated he has no problem with this as long as the building is closed pointing out the building presently is not closed. He stated he has asked all parties involved to make sure that the building is closed but to this point, it has not. Brief discussion took place with City Manager Benton cautioning the Council to review this very carefully as the Inspections Department is requesting that it be declared an unsafe building or at least board it up. Mr. Walters indicated the building will be demolished unless it is boarded up, therefore, he would move adoption of an ordinance, unless the City Manager satisfies himself that it is boarded up, to become effective March 6. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 491

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 107 POLK STREET IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 10, Chapter 6, Article D of the Code of the City of Raleigh, North Carolina and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance, and

WHEREAS, the Building on said premises should be demolished as directed by the Director of Inspections or his designee for the reason that the same is an unsafe building as described in Part 10, Chapter 6, Article D of the Code of the City of Raleigh.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Department of Inspections of the City of Raleigh be and is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

Property Owner	Location
Virginia B. Mordecai, Heirs	107 Polk Street

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Part 12, Chapter 6 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective March 6, 1985.

Adopted: February 5, 1985

Effective: March 6, 1985

721 Dorothea Drive - Truvine Pentecostal Holiness Church, property owner. The Mayor opened the hearing. No one asked to be heard, thus, the hearing was closed. Mr. Walters moved adoption of an ordinance declaring the dwelling unsafe. His motion was seconded by Mr. Keller and a roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 492

AN ORDINANCE FINDING THAT THE PROPERTY DESCRIBED HEREIN IS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED OR DEMOLISHED AS DIRECTED BY THE INSPECTIONS SUPERINTENDENT

WHEREAS, the City Council of the City of Raleigh finds that the property described herein is unfit for human habitation under the provisions of Part 10, Chapter 6, Article H of the Code of the City of Raleigh, North Carolina, entitled "Housing Code," and that all of the provisions of said Article have been complied with as a condition of the adoption of this Ordinance; and

WHEREAS, said house should not be occupied until repaired to meet the requirements of the Minimum Housing Standards Ordinance, or that the same should be demolished as directed by the Director of Inspections or his designee, and should be placarded by placing thereon a notice prohibiting use for human habitation:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Director of Inspections of the City of Raleigh be and he is hereby authorized and directed to place a sign on the building at location listed herein containing the legend: THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL."

Property Owner	Location
Truvine Pentecostal Holiness Church	721 Dorothea Drive

Section 2. It shall be unlawful for any person to remove said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any said building for human habitation.

Section 3. That a copy of this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. This Ordinance shall become effective February 5, 1985.

Adopted: February 5, 1985
Effective: February 5, 1985

313 East Cabarrus Street - Russell and Dorothy C. Johnson, property owners. Augustus Anderson, representing a group of the tenants, indicated he had filed a first class action against the owners and management of this dwelling and he had received a default judgment requiring the property to be repaired by February 1. He stated, however, it was not repaired and a contempt hearing is scheduled for March 14. He stated this building is unfit for human habitation but he does not feel it is unsafe pointing out a court has already ruled that the tenants could stay in the house. Mr. Anderson indicated he would like for the Council to refer this to Public Works Committee as it is felt there may be a more appropriate procedure to follow. He pointed out the General Statutes enable the City Council to do repairs and have a lien put on the property and that lien would take priority over any other liens. He stated this is an exercise of City authority that has never been used. He pointed out this house is located in the C.D. area and explained the building is of cinder block. Mr. Anderson indicated he represents six people who are legitimate tenants in the building who each pay $200 per month. He explained there are four vacant units and unauthorized people evidently get into the units and occupy them pointing out they hot wire to get electricity. He indicated CP&L had given the owners about six weeks to make sure that this did not occur again and they did not take the appropriate steps, therefore, the electricity has been disconnected since October 30. He stated they do have gas and water and are using kerosene lamps for lighting. He again stated, in his opinion, the building is unfit but is not unsafe.

William Geeter indicated he was the former manager of the unit at 313 East Cabarrus Street. He stated he has been living there two years and explained he was the resident manager under the former manager/owner. He indicated he had done some repairs to the building and he does not feel it is unsafe. He pointed out, however, since the property changed hands, the environment has gotten worse. He indicated he does know that unauthorized people are entering the building and staying in the vacant units pointing out he has called the police a number of times when he has found extension cords running from one apartment to another but the police said they could not do anything since it is all inside the same building. Mr. Geeter indicated he, too, felt that the building was unfit but it was not unsafe. After other discussion by general consensus, the matter was referred to Public Works Committee.

GREATER RALEIGH CHAMBER OF COMMERCE - RESOLUTION PRESENTED

Thomas W. Bradshaw, Jr., representing the Greater Raleigh Chamber of Commerce, indicated the Chamber passed a resolution relating to Local Government Appreciation in Raleigh. He stated the Chamber is very proud of the working relationship between the governmental units and the Chamber. This area is becoming known far and wide and has a good reputation and he feels that that is the result of good government. The partnership with the Chamber and good government is one of the reasons we are enjoying the prosperity we are. Mr. Bradshaw read the resolution and presented it to the Mayor.

UNSAFE BUILDING - 5900 CALDONIA DRIVE - HEARING - ORDINANCE ADOPTED EFFECTIVE MARCH 20

This was a hearing to consider adoption of an ordinance declaring the dwelling at 5900 Caldonia Drive an emergency unsafe building. The property is the name of Joseph and Dorothy Dunleavy. The Mayor opened the hearing to the public.

Mrs. Dunleavy indicated she did not receive the letter until earlier today. She indicated she had a fire at this location about a month ago and has not been able to get the repairs done. She stated she has now received three estimates but she is having a problem with the insurance company, the weather, etc. She explained the house is totally locked up and she and her family are living in an apartment. She stated they plan to fix the house as soon as they can get the insurance matter straightened up.

Patricia Ivaniservic, 6009 Bolero Court, indicated she lives directly across the street. She indicated she represents 14 households in the neighborhood and explained she had brought with her a copy of the restrictive covenants relating to nuisances in the neighborhood. She explained there have been inoperative or nonmotorized vehicles on the property and the restrictive covenants preclude activities such as that. She presented a letter signed by the 14 households asking that this property be cleaned up. She stated they had been trying for months to have it cleaned and gave a list of people she had talked to in the City, Wake County Health Department, State, etc. She indicated she has been advised by everyone that only the City of Raleigh can act on getting the cleaning of the property taken care of. She pointed out she has seen rodents coming from the unmotorized cars. She indicated when the house burned, it was broadcast by the news media that the house was so full of trash that it was difficult to fight the fire. She stated there are reports of numerous dead animals in the house, there is no water nor electricity. She stated she personally saw Mr. Dunleavy put garbage under the house over the past weekend. She presented copies of letters she had sent to Ms. Dunleavy asking that they correct the situation.

Mr. Walters indicated the City has nothing to do with the restrictive covenants and cannot get involved in that. He pointed out, however, that any individual could go to the courts and have something declared a public nuisance.

Ms. Dunleavy indicated the points brought up are totally untrue. One of her sons indicated there are no dead animals in the house and the lady who indicated she saw someone putting garbage under the house was totally incorrect. He indicated they did go out and pick up some garbage and put it in a pickup to take away. He stated he had never seen any rodents around the house. Ms. Dunleavy's daughter presented pictures of the house that were taken earlier today. Another son indicated they had always had water and electricity since he had been living in the house.

Housing Inspections Supervisor Bartholomew indicated his office was called about this residence and after making an inspection of the structure and finding that it met the definition of an emergency unsafe building, he brought the item to Council's attention. He stated on January 3, they notified all parties involved - mortgage company, banks, etc., of the situation. He indicated since that date, he has been in almost daily contact with the mortgage company, the insurance company and Ms. Dunleavy. He indicated they had been notified to repair or demolish the house. He stated apparently there is some problems between the insurance company, mortgage company and owner. He stated he was at the premises about 10:30 a.m. today and some items had been removed from the house. He indicated he understands estimates have been received on making repairs and the estimates are in the range of $11,000. He stated the front and back door were locked when he arrived and the Dunleavy's were there waiting for him. Mr. Bartholomew indicated he had talked with Ms. Dunleavy about the vehicles and explained some recent State law changes. He indicated hopefully with repairs to the house, the vehicles will be taken care of. He stated he understood the mortgage company and insurance company are ready to make repairs but he does not know if Ms. Dunleavy is ready to accept their offer. After discussion, Mr. Congleton moved that the house be vacated immediately and all repairs be completed within 42 days (March 20) or the house would be demolished. His motion was seconded by Mr. Keller and roll call vote resulted in all members voting in the affirmative. The Mayor ruled the motion adopted.

ORDINANCE NO. (1985) 493

AN ORDINANCE FINDING THAT THE BUILDING ON PROPERTY AT 5900 CALEDONIA DRIVE IN THE CITY OF RALEIGH IS UNSAFE AND DIRECTING THAT IT BE DEMOLISHED

WHEREAS, the City Council of the City of Raleigh finds that the building on property described herein is unsafe under the provisions of Part 10, Chapter 6, Article D of the Code of the City of Raleigh, North Carolina and entitled "Unsafe Buildings," that all of the provisions of said article have been complied with as a condition of the adoption of this ordinance, and

WHEREAS, the Building on said premises should be demolished as directed by the Director of Inspections or his designee for the reason that the same is an unsafe building as described in Part 10, Chapter 6, Article D of the Code of the City of Raleigh.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:

Section 1. That the Department of Inspections of the City of Raleigh be and is hereby authorized and directed to demolish the building in the City of Raleigh at the following location:

Property Owner	Location
Joseph and Dorothy F. Dunleavy	5900 Caledonia Drive

Section 2. That the cost of demolition of the building shall become a lien upon the land upon which the building was located as provided in Part 12, Chapter 6 of the Code of the City of Raleigh, North Carolina.

Section 3. That this ordinance shall be recorded in the Office of the Register of Deeds of Wake County.

Section 4. That this ordinance shall become effective March 20, 1985.

Adopted: February 5, 1985

Effective: March 20, 1985

BUDGET - PROPOSAL FOR '85-'86 - HEARING TO RECEIVE PRELIMINARY INPUT

This was a hearing to provide an opportunity for citizens to offer written or oral comments on matters to be considered in preparation of the budget for FY 85-86. It was pointed out citizens would be provided an opportunity to comment on the budget in general and on possible uses of the General Revenue Sharing fund. Assistant City Manager Wray explained the budget procedure and presented a pie chart of the current budget, revenues, expenditures and the capital budget. The Mayor opened the hearing to the public.

A number of organizations came forth, explained the work of their program and work they plan to do, many presented written information and requests. Below is a listing of the speakers, the organization they represent, their current funding, if any, and their requested funding.

Ann McGee - Wake County Council on Aging - presently receiving $30,000, requesting $40,000 next year.

Hazel B. Forbes, 2404 Firelight, representing Interact, a Shelter for Battered Women, asked for continuation of existing funding and help in located a building that meets the City of Raleigh's zoning requirements to be used for their facilities.

Alex McGeachy - Haven House, Inc. - presently receiving $20,000, requesting $25,000.

Lillian Freeman - Y.W.C.A. Oaks Program - presently receiving $15,000, requesting $19,663.

Dr. Don Lucy, 418 Marlowe Road - Urban Ministries Center - receiving $10,000, requesting $20,000.

Betty Ann Fords - Loaves and Fishes - presently not funded by the City, requesting $8,000.

Pat Nedwidek - President of the League of Women Voter - urged the Council to continue their commitment to adequate housing in FY 85-86 by considering the following suggestions: (1) Designate the full 20 percent of the ½ cent local sales tax revenues to housing as authorized by the 1983 Session of the North Carolina General Assembly. (2) Actively involve citizens, particularly area residents, in planning and implementing the N.C.N.B. C.D. Project. (3) Make provision for replacement housing for low income families who will be displaced to create downtown housing for middle income families. They recommend that Raleigh C.D.B.G. funds be used assist these displacees in finding adequate housing. (4) Lobby the N.C. Members of Congress to support a current spending level freeze on assisted housing and C.D.B.G. subsidies. Additional budget reductions in HUD programs would further threaten living conditions for low income families. (5) Investigate the possible availability of general revenue sharing funds for housing. (6) Support the Executive Director of the Raleigh Housing Authority's suggestion to request the N.C. General Assembly to authorize matching grants to cities for low income housing construction. In summary, the League asks that the Council consider all sources of funding to help meet the housing needs of our low income families.

Norman Day - Garner Road Y.M.C.A. - receiving $10,000, requesting $30,000.

Greg Malhoit, representing East Centeral Community Legal Services - presently receiving $15,000, requesting $25,000.

Planned Parenthood - continuation of the current $7,500 funding.

Norma Shepherd - Arts Together, Inc. - first time request from City. She requested a $25,000 grant and a $75,000 interest free loan to be paid back over a certain period of time.

Al Wolfheimer - Raleigh Little Theatre - requested $8,500 to increase restroom facilities, $35,000 to install a sprinkler system, and $30,000 for the installation of a draft lobby.

Beth McAllister, representing Hospice - currently receiving $5,000, requesting $6,000.

John Schenault - Meals-on-Wheels - receives funding from Revenue Sharing and C.D. Currently receiving $17,500 from Revenue Sharing, this year requesting an additional $1,500 from either source.

Tim Jordan, representing Gethsemane Rainbow Partnership - presently receiving $15,000 from Revenue Sharing and C.D., requesting $40,000.

Gus Anderson, an attorney with East Central Community Legal Services, spoke about the serious shortage of housing for the low income sector of Raleigh. He called on the Council to do whatever possible to preserve the existing housing stock and ask about the possibility of the City setting aside some money to do repairs to buildings when landlords refuse to repair a building and let that become a lien on the property. He stated he did not think that this would occur often but we need to do all possible to preserve our existing housing.

Mary Bell Pate, representing the Southwest Raleigh Citizens Advisory Council, requested that monies be appropriated for the development of the recently acquired park property on Peach Road. She stated expenditures would be moderate pointing out as a small neighborhood park, it would not require on-site park personnel and equipment needs could be basic and low maintenance in design.

Bernadine Weddington, Chairman of Raleigh CAC, had submitted a prepared statement requesting additional staff and support services for the CAC. She urged the Council to provide for a Community Services Assistant and a Human Resources Assistant pointing out there is a present staff of two professionals assigned to the Citizen's Participation Network and while they do an excellent job supporting the RCAC and the 18 community CAC's, it is obvious that more help is needed. She also restated concern for a program evaluation system which has been urged for the past two years.

COMMUNITY DEVELOPMENT - HEARING ON AMENDMENT TO STATEMENT OF PROGRAM ACTIVITIES - HELD - AMENDMENT AUTHORIZED

A hearing for the purpose of receiving citizen input on an amendment to the 1984/85 fiscal year City of Raleigh Community Development Statement of Program Activities. The amendment will allow Community Development staff support to be provided to administer any funds that may become available, other than regular Community Development Block Grant funds, on a City-wide basis.

City Manager Benton explained the purpose of the hearing pointing out basically, it would allow the C.D. staff to administer any funds received from the State on City-wide basis. The Mayor opened the hearing to the public.

Bernadine Weddington, 4814 Brookhaven Drive, Chairman of Raleigh CAC, asked that the following statement be present: "It is our understanding that the purpose of this amendment is to allow the Community Development Department latitude in the use of staff support for other than Community Development activities. Based on this assurance, we support the adoption of the amendment but with these provisions: (1) Community Development money will be used only for projects in Community Development designated areas. (2) The Community Development designated area lines will not be changed without input from the RCAC Community Development Committee.

No one else asked to be heard, thus, the hearing was closed. Mr. Walters moved approval of the amendment as explained. His motion was seconded by Mr. Calloway and put to a vote which passed unanimously. The Mayor ruled the motion adopted.

ADJOURNMENT

There being no further business, Mayor Upchurch announced the meeting adjourned at 9:55 p.m.

Gail G. Smith
City Clerk